

PATENT,  
TRADEMARK, COPYRIGHT,  
& TRADE-SECRET LAW

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June 5, 2007

**Mail Stop Petition**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited  
as first-class mail in an envelope addressed to the Com-  
missioner of Patents, P.O. Box 1450, Alexandria, Virginia  
22313-1450, on

June 5, 2007,

  
Peter I. Lippman, Reg. 22,835

**RE:** U. S. utility patent 5,467,122, issued November 14, 1995  
from serial 08/046,335, filed April 12, 1993  
of J. Kent Bowker et al.  
for: "UNDERWATER IMAGING IN REAL TIME USING SUBSTANTIALLY  
DIRECT DEPTH-TO-DISPLAY-HEIGHT LIDAR STREAK MAPPING"  
our docket xAA-05

Dear Sir:

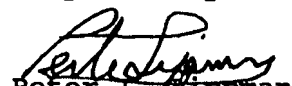
Attached for filing please find a Petition to Accept Unavoidably  
Delayed Payment of Maintenance Fee in an Expired Patent. The at-  
tachments also include:

- my \$3,815 check for maintenance fees due in 2003 and 2007, with  
2007 surcharge and current Petition fee as required;
- fifteen Exhibits as listed in section 2 of the "Additional  
Sheets" of the Petition; and
- an acknowledgment card, for date-stamping and return.

In event any further fee should be due, or any refund accrue, please  
debit such necessary further fee, or credit such refund, to my de-  
posit account 12-1639.

Should the balance in my account be inadequate for such further  
fee, please telephone me at 775/677-8822 so that I can immediately  
replenish the account by electronic fund transfer.

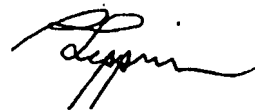
Respectfully submitted,

  
Peter I. Lippman  
Reg. No. 22,835

Encl:   ▪ Petition of 34 pages; and  
          ▪ other enclosures listed above

**PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF  
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**

Docket Number (Optional)

A handwritten signature in black ink, appearing to read "Lippin", is located in the bottom right corner of a large rectangular box that occupies the lower half of the page.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 1. SMALL ENTITY

☐ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

## 2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).

## 3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 1/2 yr fee	(1551)	<input type="checkbox"/> \$ _____	3 1/2 yr fee	(2551)
<input type="checkbox"/> \$ _____	7 1/2 yr fee	(1552)	<input type="checkbox"/> \$ _____	7 1/2 yr fee	(2552)
<input type="checkbox"/> \$ _____	11 1/2 yr fee	(1553)	<input type="checkbox"/> \$ _____	11 1/2 yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ \_\_\_\_\_

## 4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(1) of \$ \_\_\_\_\_ (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ \_\_\_\_\_

## 5. MANNER OF PAYMENT

☐ Enclosed is a check for the sum of \$ \_\_\_\_\_☐ Please charge Deposit Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_. A duplicate copy of this authorization is attached.☐ Payment by credit card. Form PTO-2038 is attached.

## 6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

☐ The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. \_\_\_\_\_. A duplicate copy of this authorization is attached.

## 7. OVERPAYMENT.

As to any overpayment made please

☒ Credit to Deposit Account No. 12-1639

OR

☐ Send refund check.

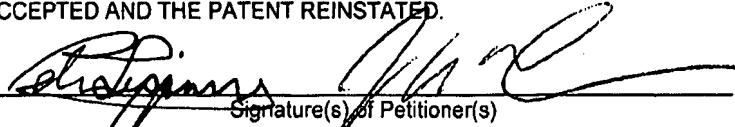
## WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

## 8. SHOWING

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

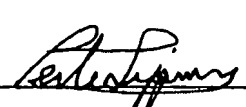

## 9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.

		<u>June 5, 2007</u>
Signature(s) of Petitioner(s)		Date
<u>Peter I. Lippman; John McLean (for assignee)</u>		<u>Lippman: 22,835</u>
Typed or printed name(s)		Registration Number, if applicable
<u>17900 Mockingbird Drive</u>		<u>775/677-8822</u>
Address		Telephone Number
<u>Reno NV 89506</u>		
Address		

## ENCLOSURES:

- ☒ Maintenance Fee payment
- ☒ Statement why maintenance fee was not paid timely
- ☒ Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)
- ☒ Other: Exhibits A through O -- per section 2 of the attached  
"Additional Sheets" showing unavoidable delay.

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

		<u>June 5, 2007</u>
	Signature	Date
<u>Peter I. Lippman; John McLean (for assignee)</u>		<u>Lippman: 22,835</u>
	Typed or printed name	Registration Number, if applicable

#### STATEMENT

(In the space below, please provide the showing of unavoidable delay recited in paragraph 8 above.)

Petitioners respectfully ask that this Petition be granted and that the accompanying unavoidably delayed maintenance fee, and the current maintenance fee, and surcharges for both, be accepted, and the patent reinstated. Unavoidable delay in payment has been due to the Petitioners' having received no message stating, and being not aware, that a previous Petition (filed in March 2004, for acceptance of unintentionally delayed maintenance fee) was dismissed.

The Petitioners now know that the U. S. Patent & Trademark Office (hereinafter "PTO") mailed a Dismissal document to Petitioner Lippman in July 2005; however, that paper was misaddressed to a long-obsolete address and therefore never received.

Not until April 2007 did the Petitioners receive a message with notice of such Dismissal or its details, as will be proved below.

Full details of that previous Petition and of related circumstances are set forth below and in the attached "Additional Sheets".

Petitioners first became aware that this patent was not currently in force on March 21, 2007 when [CONTINUED ON ADDITIONAL SHEETS]

(Please attach additional sheets if additional space is needed)

**"ADDITIONAL SHEETS" OF THE  
SHOWING PURSUANT TO PARAGRAPH 8 OF THE PETITION**

**[STATEMENT, CONTINUED]**      Petitioner Lippman routinely checked his own docket calendar and saw that the 11½-year maintenance fee appeared to be due in May. Upon then looking in the PTO website to determine the amount of the fee, however, Petitioner Lippman was shocked to see that the website indicated the patent was expired.

Below are, in section 1 and sections 3 through 7, a first analysis based upon proximate cause; and in sections 8 through 14 a second analysis based upon a full chronology — both showing why Mr. Lippman had believed in good faith that the patent was in effect or the 2004 Petition still pending.

1. **Analysis based upon proximate cause:** The Petitioners in 2003 and 2004 communicated with the PTO in good faith, attempting to maintain the subject patent — but until late last month received no message stating that their communications had failed. Until then they also were not able to obtain a statement of the reason for failure of their 2004 communication.

From a reading of the now-available 2005 Dismissal, Petitioner Lippman believes that the document appears to invite a reply (within two months) curing a defect stated in the Dismissal. That defect appears to be, in its entirety, failure to successfully provide the necessary fees.

The document also appears to suggest (although it is not absolutely explicit) that a reply within that interval, with the necessary fees, would result in acceptance of the delayed fees and reinstatement of the patent — notwithstanding any and all previous delays.

The Petitioners respectfully submit that their delay in responding to the 2005 Dismissal document was unavoidable, be-

cause the mailed original of it was never received — and a facsimile copy was received only on April 27, 2007. Accordingly the delay in now making payment was likewise unavoidable.

For proof that the document was never received, Petitioners offer two main facts, fully supported in this Petition:

- Mr. Lippman's docket system demonstrates that the document was never available to calendar for reply (for details please refer to sections 3 through 6, below); and
- the Dismissal document on its face is misaddressed to a very old address (please see section 7, below) — at a time when a substantially correct address was in the PTO's file of this case.

The Petitioners first digress here to explain the relatively brief delay from March 21, 2007 to the present filing:

On March 21 when Petitioner Lippman discovered that the patent was expired, and when he saw in PAIR that a Dismissal had been mailed in 2005, he immediately telephoned the Petitions Office to determine the reason for dismissal. He spoke with Mr. Paul Janoski, then of that Office, who said that this case had a paper (rather than image) file wrapper and that it could be necessary to order that wrapper from archival storage; Mr. Janoski also said that he would send an e-mail message "to a contractor", requesting that a copy of the Dismissal be "remailed" to Mr. Lippman; and that this would probably take three or four weeks.

After waiting about three weeks, Petitioner Lippman inquired further (several times) and in due course was informed that the file had been returned to storage. He also was advised to take up the matter with Paralegal Liana (Chase) Walsh, who had written the Dismissal. Mr. Lippman was not at first able to reach Ms. Walsh, but after further effort did speak with her: she kindly said that she would send a copy of the document by facsimile, from her computer, right away.

Mr. Lippman asked that she wait a couple of hours, because his facsimile-receiving equipment was at that moment being repaired; and Ms. Walsh proposed to instead wait until the following day. Unfortu-

nately the document was not transmitted for almost two weeks, notwithstanding almost daily phone reminders.

The purpose of mentioning the time details, in the discussion above, is not to find fault. It is only to explain the unavoidable delay, from March 21, 2007 to April 27, 2007 in Petitioners' obtaining the Dismissal document so that they could determine its detailed nature, and so be able to respond to it. Since April 27, Petitioners have worked diligently to prepare this Petition.

This basic discussion continues in section 3 of these "Additional Sheets", following the List of Exhibits that appears as section 2 here:

2. List of fifteen Exhibits appended

after the last signature page of these "Additional Sheets":

- A) copies of four docket-sheet printouts (total 13 pages) for July and August 2005, showing nonreceipt of any Dismissal document in this case (docket "xAA-05"), mailed by the PTO in July 2005;
- B) a copy of that July 2005 item (Dismissal of a 2004 Petition);
- C) Petitioner Lippman's docket sheet for this specific case;
- D) Declaration of Mrs. Holly Aguilera;
- E) a copy of a relevant page of the PTO's June 2006 spreadsheet confirming entry of this case (column 2, line 2) into PAIR;
- F) a copy of Mr. Lippman's July 10, 2004 correct change-of-address notice to the PTO;
- G) a copy of a substantially correct (partially faulty) address-change acknowledgment (with its listing in the PAIR "Image File Wrapper" section, showing "mail room date" December 14, 2004);
- H) a copy of a current Request for Data Correction, filed on the recommendation of Ms. April Wise in the Petitions Office;



- I) August and September 2004 documents (in unrelated cases) correctly mailed by the PTO directly to Mr. Lippman's new address;
- J) Declaration of John W. McLean, Ph. D.;
- K) a 2003 e-mail exchange between Mrs. Aguilera and Dr. McLean;
- L) for comparison as discussed in the present Petition, a copy of a 1999 coverletter used in paying the 3½-year fee;
- M) coverletter drafted November 6, 2003 — used in attempting to timely file the 7½-year fee with six-month surcharge;
- N) March 2, 2004 Petition to Accept Unintentionally Delayed Payment; and
- O) coverletter which accompanied that Petition.

3. The July 15, 2005 Dismissal was never entered in Petitioner Lippman's calendar, for response — while other contemporaneous documents were entered: Petitioner Lippman hereby states under penalty of perjury that the attached Exhibit A is a true and accurate photocopy of his four available docket-calendar printouts, totaling thirteen pages, covering the period from July 15 through September 15, 2005.

The calendar printouts were made in 2005 on:

July 25 (6 pages) — Exhibit A, pages 1 through 6  
 Aug. 16 (3 pages) — Exhibit A, pages 7 through 8  
 Aug. 25 (4 pages) — Exhibit A, pages 9 through 12  
 Sep. 13 (1 page) — Exhibit A, page 13.

For purposes of this Petition, each of these docket-calendar printouts has now been annotated. With the annotations, these four printouts are intended to be self explanatory. Each of the printouts begins with a "key" which is part of the original printing, but a rectangular box has now been drawn around

the key. Each key shows that a printout can have up to six sections, each containing deadline dates of a respective type:

- A. statutory (not extendable) within 30 days
- B. extendable within 30 days
- C. internal, within 7 days
- D. statutory (not extendable) more than 30 days away
- E. extendable, more than 30 days away
- F. internal, more than 7 days away.

In the annotations of these printouts, the designations "month" and "30 days" are used interchangeably. Below the key, in the body of the tabulation, boxes have now been drawn around the section headings too.

Each one of these four Exhibit A printouts includes PTO "deadline DATES" (now marked in large, bold lettering) occurring in the particular time period for permitted response to the Dismissal. Though the Dismissal sets a two-month nonextendable reply period, a thorough search of these sheets could look for a September 15 deadline in each of the six categories — i. e., for each of two intervals: statutory/nonextendable, or nonstatutory (most-typically extendable); or internal.

At the time of each printout, the calendar program automatically sorts the database to produce these categories and format them as shown in Exhibit A. It is Petitioner Lippman's office procedure to print the entire database roughly once a month, and (between those printings) just the first three sections, sections A through C, roughly once a week.

These facts make clear that a systematic docket system was being diligently, professionally maintained and followed. Further detailed proof of the existence and diligent use of that system appears below in sections 4 and 5 of these "Additional Sheets". Those sections are supported by the Declarations of Mrs. Holly Aguilera and Dr. John McLean, Ph. D. — presented as

the attached Exhibits D and J (following the signature page of these "Additional Sheets").

Within Exhibit A, boxes have also been drawn around groups of deadlines that bracket the September 15 deadline for reply to the Dismissal document — or actually fell on that date itself. In addition to the boxes, marginal annotations call attention to those entries which are on or near that deadline.

Such deadlines appear in Exhibit A on e. g.:

page 3,  
pages 5 and 6,  
pages 8 through 11, and  
page 13 (two groups).

Yet Exhibit A contains no deadline for reply to the Dismissal at any date on or before September 15 — or in fact anywhere at all in the Exhibit. Petitioners respectfully submit that if the Dismissal had been received, its deadline would appear in Exhibit A, ideally in a nonextendable grouping.

Petitioner Lippman adds, still under penalty of perjury, that despite reasonable search he has found no evidence whatsoever that the mailed Dismissal ever arrived.

Petitioner Lippman likewise further states under penalty of perjury that beyond any question whatever, had he received that Dismissal document within the two-month period stated for permissible response, he would have promptly, timely and fully responded — including enclosure of the relevant fees.

Given these statements, if the above-stated understanding of the import of the Dismissal document is correct, the reason for delayed payment beyond September 2005 is that neither the mailed Dismissal nor any other message telling the Petitioners of maintenance fee nonpayment for this patent ever arrived (until April 27, 2007) — not by mail, not by FAX, not by e-mail, and not by telephone.

4. Reasonable care in DESIGN AND OPERATION Of the DOCKET-

ING SYSTEM: In about 1990, Petitioner Lippman designed, programmed and put into service a computerized docket calendar for all his PTO and related deadlines. Since then he has maintained that system in operation. That calendar program runs in a "PC"-type computer under dBaseIII+ — but was an outgrowth of a previous system that he had programmed and operated for several years in the operating system of a Wang Word Processor.

Initially he also used a parallel docket system that was entirely manual. The computerized one, however, proved so reliable that that manual "shadow calendar" was very soon taken out of use. (This last fact in no way contributed to the delay in maintenance-fee payment in the present case, since the Dismissal document never arrived to be entered into any calendar.)

Since at least 1990 each member of Petitioner Lippman's office staff — most commonly one person at a time, denominated a "clerk" — has learned to use his dBaseIII+ calendar program. From time to time the program has been revised to facilitate some of the changes in PTO rules and practice, but such changes have not really been necessary since personnel know how to enter and retrieve information using the original program.

When the subject patent 5,467,122 was coming up for its 2003 maintenance fee, Petitioner Lippman's clerk was Mrs. Holly Aguilera, who was very familiar with the docket program and with all of Petitioner Lippman's patent matters. She had been employed continuously in the same capacity for about seven years, i. e. since 1996 — and had previously served as assistant clerk for several months in 1993.

As she became proficient in operations of the office, she and Mr. Lippman often checked each other's work, especially as to functions which they both knew were susceptible to residual

errors. Over time, such a final check was found to be needed less and less often, as Mrs. Aguilera became progressively better aware of the more-common "traps for the unwary".

In particular Mrs. Aguilera was thoroughly acquainted and familiar with the procedures for paying maintenance fees.

5. Reasonable care in ENTRY of the patent INTO THE DOC-

KETING SYSTEM: When the subject patent was issued, it was promptly entered into the above-described calendar program. In fact, Attached Exhibit C shows a printed docket sheet that the program created automatically (after requesting manual entry of the patent number, serial number, and filing and issue dates). It was later manually mounted in the case file for this patent.

As the Exhibit shows, the relevant dates were printed for the then-expected entire life of the patent, including both the half-year deadlines and the full-year deadlines — and also including "flag" or "warning" entries alerting Petitioner Lippman and his staff, roughly a month before each deadline.

Petitioner Lippman's office procedure calls for keeping the docket sheet in the three-panel case file, at the top of the central "PTO correspondence" panel (i. e., above all the other papers mounted on that panel). Whenever anyone opens the file, the docket sheet therefore appears conspicuously, showing the status of all unresolved deadlines.

This docket sheet of Exhibit C is for an issued patent, and accordingly shows only maintenance-fee deadlines. For cases still in prosecution (or not yet in prosecution), the docket sheets instead show deadlines for reply to Official Actions, foreign filings, statutory bars etc.

The order of entries in the docket sheet may seem curious. That order, however, arises systematically from the way in

which the entries are initially generated, before the overall docket-calendar file is sorted with new entries in it.

Six of the entries in the sheet appear crossed off, in ink, by hand. Those marks reflect the fact that the PTO had been authorized to take the 2003 maintenance fee from a deposit account (as more fully detailed below) — and that the remittance was considered, in good faith, to have been made timely.

In summary, the subject patent was entered into the docket system in 1995, and a resulting docket sheet was mounted in the file folder. Petitioner Lippman attests that the docket sheet appeared in that folder, mounted to the panel reserved for PTO communications and docket sheets; and also that, as the November 14, 2003 maintenance-fee four-year deadline approached, the docket sheet was being correctly used.

The careful and professional manner of docket-system use in Mr. Lippman's office is further evidenced by Exhibit D, the Declaration of Mrs. Holly Aguilera — and particularly by paragraphs 1, 4 through 7, 12 and 13 of that Exhibit.

6. Reasonable care in keeping the PTO informed of Petitioner Lippman's address: On June 9, 2004 Petitioner Lippman received from the PTO by e-mail a spreadsheet confirming entry of his cases into the PAIR system. Page 4 of the spreadsheet (showing the subject patent as the second item in the second column) appears as Exhibit E. It shows Mr. Lippman's then-correct address in Montrose, California. That was not a new address; rather, he had been there for nineteen years.

PAIR records for the subject patent show that date, June 9, 2004, as the date of a "Correspondence Address Change". As the foregoing paragraph makes clear, however, that characterization is not entirely accurate. That is to say, there was not

any actual change of address shown by that June document; rather Exhibit E only confirmed receipt, in the PTO Electronic Business Center, of the spreadsheet data (identification of cases) from Mr. Lippman.

On July 10, 2004, after moving away from California, Mr. Lippman responded to that posted spreadsheet by filing a notice of his address change — also appended to this Petition, as Exhibit F. Please note that it correctly states his new address in Reno, Nevada — on Mockingbird Drive (not "Lane").

The PTO response to that notice, however, is faulty. As seen in Exhibit G, the PTO's December 14, 2004 "Change of Address" wrongly states his street suffix as "Lane". (That error is presumed due to well-known use of "Mockingbird Lane" in a long-running famous TV program.)

During the last few weeks, Petitioner Lippman spoke with Ms. April Wise, of the Petitions Office, about his having never received the Dismissal. Ms. Wise noted that the PTO records for Petitioner Lippman's customer number incorrectly stated the address as on Mockingbird Lane. She recommended filing of a new address-change notice for that customer number.

Typically each week several pieces of PTO mail arrive correctly for Petitioner Lippman on Mockingbird Drive, a street which is in Reno's Cold Springs Valley. Mr. Lippman has found no "Mockingbird Lane" anywhere in the Reno area.

Cold Springs Valley is a relatively small, semirural area more than ten miles from the main population centers of Reno, and somewhat isolated by a mountain pass. Local postal carriers appear to very clearly know what streets are in the valley.

POSTAL SERVICE PROCEDURES — Furthermore, the U. S. Postal Service (hereinafter "USPS") should return to the PTO any PTO mail not delivered to Petitioner Lippman — but Mr. Lippman has

never been contacted by phone, FAX, e-mail or otherwise to resolve any question of such returned postal mail.

To briefly review the USPS procedures: on May 19 of this year Mr. Lippman telephoned the postmaster in Montrose, California — Mr. Lippman's previous city of residence. That postmaster, Mr. Voltaire Alfonso, after listening to the general facts of the present situation stated that the most usual and most-approved procedure is for the USPS to check — even before mail from the PTO leaves the east coast — for address-change notices on file. Since Mr. Lippman's USPS forwarding order by July 2005 was expired, no valid notice would have been found. (The expired notice, however, might have been found.)

Mr. Alfonso proceeded to explain that the next step, if no valid address-change notice is found then (or later in the process if need be) — and if it also appears (e. g., from an expired notice) that routine delivery will fail — is to look on the outside of the envelope for a legible return address. If such a return address is found, the USPS then forthwith returns the mailed piece to that address. This process takes only a short time.

If no return address is thereby found, however — e. g. if the envelope has been damaged or the return address blurred, etc. — the USPS instead sends the piece to a Dead-Letter Center. The staff members there open the piece, and search its contents for any indication of a source address.

Upon finding such indication, USPS staff members copy that address to a fresh envelope, place the entire original piece of mail inside that envelope, and return the entire freshly packaged item into the stream of mail for return to the original sender. Mr. Alfonso stated that this entire process in the Dead-Letter Center typically takes something over four weeks.



Only if no valid source address can be found either inside or outside the original mailed piece is the item consigned to truly "dead"-letter status. Since the PTO Dismissal document itself clearly states the PTO address, i. e. the address of a prominent government agency, Mr. Alfonso expressed doubt that the 2005 Dismissal document went anywhere but back to the PTO.

Based on all these facts, it is improbable that the minor address error (wrong street suffix) in the PTO records could have been responsible for nondelivery of the Dismissal document. With respect, the Petitioners submit that delivery went wrong because the document was on its face misaddressed (please see section 7 below) — and therefore was returned to the PTO. Once there, evidently, it was not investigated.

Nevertheless Ms. Wise's recommendation is greatly appreciated, and it has recently now been followed. A copy of the recent change-notice form, with its coverletter, appears as Exhibit H. The PTO responded to that form incorrectly (leaving the street suffix as "Lane"), and Petitioner Lippman has since corrected the PTO database on-line himself.

7. Failure of the PTO to correctly address or remail the Dismissal document, using Petitioner Lippman's mailing address as then officially on record in the PTO: In addition to Petitioner Lippman's docket printouts discussed above in sections 3 and 5, there is other evidence — even much stronger — that the original, mailed Dismissal document was never received: on its face, it was misaddressed.

The copy of that above-mentioned July 2005 Dismissal which is reproduced in Exhibit B (pages 2 and 3) was first received by Mr. Lippman via FAX in April 2007. It reveals that the Dis-

missal was addressed to his former, southern California location in July '05, even though a year earlier in July 2004 (proven in section 6) he had filed a PTO address change (Exhibit F) and in December the PTO had acknowledged it (Exhibit G). Evidently the Dismissal was prepared with reference to neither the PTO's general address record for Mr. Lippman's customer number, nor the specific address record shown in PAIR for this case.

CORRECT MAILING OF OTHER DOCUMENTS — Meanwhile, Petitioner Lippman has now found at least two documents (in unrelated cases) that came from the PTO addressed directly to his new address in August and September 2004. Coversheets of both those documents are appended as Exhibit I. They dispositively prove that the July 2004 address-change notice had begun to take effect in the PTO and was available for use there by August 2004 — nearly a year before the critical Dismissal was mailed in this case.

In his search that resulted in Exhibit I, Mr. Lippman ran across no documents mailed from the PTO after July 2004, concerning provisional or nonprovisional national applications, that were addressed to his old address — except for the July 2005 Dismissal in this case. (He did not attempt, however, to search for such later-mailed misaddressed items exhaustively.)

Of course before his actual change of location (June 2004) Mr. Lippman also had deposited a mail-forwarding order with the U. S. Postal Service. It is his understanding that the forwarding order expired in about June 2005.

Since PTO correspondence, by at least August 2004, had all begun to come directly to his new address by virtue of the July 10, 2004 address-change notice (Exhibit F), expiration of the forwarding order was not seen to be problematic. In actuality, however, since the 2005 Dismissal was misaddressed to Mr. Lippman's by-then-long-obsolete old office and home in southern

California, the Postal Service almost surely returned that document to the PTO. This is established by Mr. Lippman's telecon with Montrose Postmaster Voltaire Alfonso, as reported above in section 6 of these "Additional Sheets".

The Petitioners presume that, on arrival back at the PTO, the Dismissal document should have triggered an investigation to determine the correct address which should have been used in July 2005. That address had long been in the file, not only of the PTO for Mr. Lippman's customer number in general, but the electronic file of this case.

In fact as clearly shown in the PAIR system contents for this case, by December 2004 the PTO had associated Mr. Lippman's then-current mailing address with this case. That is established by the "Address Change" document from PAIR's image-file-wrapper section with mailing date "12-14-2004" as Exhibit G.

Although that document does contain the minor technical error in the street-name suffix, as discussed in section 6 above, if the Dismissal document had been addressed as in the PTO records (Exhibit G) it would surely have been delivered to Mr. Lippman promptly in July 2005. That conclusion holds true whether or not the PTO had entered the correct street suffix as in Exhibit F.

(Sections 3 through 7 above conclude the proximate-cause analysis started at Section 1.)

8. Analysis based upon full chronology — introduction:

Petitioner Lippman has consulted several staff attorneys and others in the Petitions Office, seeking guidance as to the nature and scope of proofs that should be presented in this Petition — as well as information that might help facilitate

acquiring a copy of the Dismissal (as recounted earlier). The Petitioners in particular wish to thank Ms. Frances M. Hicks for thoughtfully considering the present situation and for explaining that each Petition is considered on its own facts and merits, and that no detailed guidance for the present situation could be specified.

Petitioners also gratefully thank Paralegal Ms. Liana Walsh for providing a facsimile copy of the Dismissal document; and Ms. April M. Wise for her well-reasoned observations and recommendations concerning Petitioner Lippman's address, as discussed above in section 6 of these "Additional Sheets"; and Mr. Paul Janoski for his initial help to Mr. Lippman in becoming oriented to the situation. In addition, Petitions Attorney Charlema Grant very kindly explained why — by virtue of severe caseload, as Mr. Lippman understood it — she was not at liberty to study the situation for purposes of giving preliminary advice.

To go beyond the above proximate-causation approach of section 1 of these "Additional Sheets", and sections 3 through 7: the circumstances here are essentially a series of inter-linked events that began in a very modest way and escalated according to the "domino effect" into an extremely serious problem. It is especially severe in that the patent involved is of particular importance to the assignee — as witness the participation of that firm's president and chief executive officer, in this Petition, and his appended Declaration (Exhibit J).

That series of events is taken up in detail below.

9. Initial submission of the maintenance fee: On October 30, 2003 with the four-year deadline two weeks away, Mrs. Agui-

lera wrote by e-mail to Petitioner John McLean, Ph.D., who is the chief executive officer of the assignee Areté Associates, asking for authorization to pay the fee.

That inquiry is shown at the bottom of the attached Exhibit K, together with Dr. McLean's prompt response (at the center of the same Exhibit) — including his remark, "This is a very important patent for Areté." Furthermore, as the same Exhibit shows, when preparing that response Dr. McLean himself took the trouble to add another address to the distribution: he sent a "Cc:" (courtesy copy) to: "King, Jim" <king@arete.com>.

Mr. Jim King at that time was the chief financial officer of Areté. Thus Dr. McLean, the president and chief executive officer, wanted his chief financial officer to be reassured in advance (not even waiting for Mr. King to inquire) that the thousand-dollar maintenance fee should be paid — further demonstrating how important this patent was to the company. Also in the same exhibit, at the top, is Mrs. Aguilera's quick reply confirming her intention to file timely.

On November 6, 2003 Mrs. Aguilera in fact began looking for a suitable coverletter to accompany the fee. She knew that all of Petitioner Lippman's electronic documents were stored in computer directories ("folders") by client — and some even by specific docket code.

Not wanting to type and proofread all the numbers, names etc. relating to the subject patent, and being well trained to think about efficiency, Mrs. Aguilera looked in the correct computer directory for previous outgoing letters related to this patent.

There she immediately found in electronic form the letter that had been used four years earlier for payment of the first, fourth-year maintenance fee.

For reasons that will become clear momentarily, that 1999 letter is reproduced as Exhibit L of this Petition. Petitioners respectfully draw attention to the PTO address that Petitioner had used in 1999.

The 1999 PTO address appears in that letter at the top of the page, and also unfortunately — very unfortunately, as will be explained — within the mailing certification at the bottom. Thus, among the several variations needed to adapt the 1999 letter to 2003 purposes, there was one item that Mrs. Aguilera felt clearly ought to be freshly typed, namely the then-new mailing address of the PTO Maintenance Branch, where it appeared within the mailing certification. Exhibit M of this Petition shows the resulting November 2003 coverletter for the maintenance fee.

10. Initial delay: This retyping of the new PTO address, as such, was done correctly, and Mrs. Aguilera also revised some other passages (not important here) of the letter. In the process, she introduced a new but unimportant typo — and also unintentionally deleted a very important needed element — as seen in Exhibit M.

As comparison of Exhibits L and M suggests, to update the PTO address Mrs. Aguilera deleted the last part of the final sentence in the coverletter, and then typed in the new PTO address. Unfortunately that part of the final sentence included the mailing date. Hence the mailing certification became defective in that the mailing date was thereby omitted from it. Nevertheless Petitioner Lippman did sign that letter.

Although the coverletter and fee were mailed before the final deadline, since the mailing date was omitted from the certification, Rule 8 did not apply — and the PTO of course

responded that the fee was late and the patent had already expired when the fee arrived.

This particular component of delay was curable, and Petitioner Lippman timely undertook to cure it as described in section 11 below. Therefore, with respect, its contribution to the overall delay in filing of the maintenance fee is believed to be superseded by (or subsumed within) the unavoidable delay involving Mr. Lippman's nonreceipt of the misaddressed Dismissal document — as set forth above in sections 1, 3, 6 and 7 of these "Additional Sheets".

In addition to being unintentional, and curable, in a very important sense this delay itself also was unavoidable. It is possible for human beings to be well trained, and professional, and conscientious, and extremely careful, and to review their own efforts — all of which describes Mrs. Aguilera's excellent work beyond question — but it is never possible to entirely, completely "avoid" a last small residual of human error.

This fundamental truth is amply recognized in the MPEP and in the caselaw. More specifically, MPEP 711.03(c) quotes the decision in *Matullah* thus:

"The word 'unavoidable' . . . is applicable to ordinary human affairs, and requires no more or greater care or diligence than is generally used and observed by prudent and careful men in relation to their most important business. It permits them in the exercise of this care to rely upon . . . worthy and reliable employees. . . ."

In other words, perfection is not required; and that tiny possibility for human error is literally unavoidable. That last small sliver of human error is exactly what arose here. The Petitioners therefore respectfully submit that the error of inadvertently deleting the certification date, and Mr. Lipp-

man's execution of the letter with that error — and its resulting contribution to delay — were not avoidable.

11. March 2004 Petition to accept unintentionally delayed payment, and its dismissal: When Mr. Lippman received notification that the 2003 fee submission had been rejected as late, he and his staff timely prepared a Petition (Exhibit N, attached) to accept the delayed payment. They filed that Petition in the PTO in March 2004.

As part of that Petition they submitted a letter explaining what had gone wrong. A copy of that letter is attached as Exhibit O.

Mr. Lippman next learned — three years later, in a March 21, 2007 telephone discussion with a then-representative of the Petitions Office, Mr. Paul Janoski — that in July 2005 the PTO had mailed a Dismissal of the March 2003 Petition. As recounted above in section 1 of these "Additional Sheets", in due course Mr. Lippman on April 27, 2007 was able to obtain a copy of that Dismissal document and thereby learn the reason for dismissal.

To summarize, PTO processing of the 2004 Petition took one year and four months; and Mr. Lippman learned of the outcome another one year and nine months after that — *i. e.*, a total of three years and one month after filing of the Petition. Mr. Janoski, in the March 21 telephone conversation, suggested strongly that Mr. Lippman should have looked into the matter during the interim of 16 to 37 months.

The Petitioners of course in hindsight agree that it could have been very useful to follow-up on the 2004 Petition. At the same time, however, for the reasons detailed below they re-



spectfully but strenuously take issue with the suggestion that there was any lapse in the duty of "reasonable care":

- Petitioner Lippman is not aware of any "standard" time period for completing a decision on a Petition to Accept Unintentionally Delayed Payment.
- Therefore the Petitioners very respectfully wish to point out that from the perspective of practitioners outside the PTO — under all the unusual circumstances of 2001 through the present — there is little to make 37 months seem less plausible than 16. More specifically, during a protracted and costly war that diverts money and other resources from the PTO, both of those intervals only seem to be long but plausible times for consideration of a Petition.
- The length of such intervals does not suggest any malfeasance. It simply suggests that the PTO Petitions staff is swamped with work. (This idea is consistent with Mr. Lippman's impressions of his conversations with staff.)
- Under these circumstances, in the vernacular, the Petitions Office appears to be "pedaling as fast as it can." The signing Petitioners believe that this is a result of the Federal Government's allocating stringently limited governmental resources to the PTO, particularly during wartime — already ongoing for three years in 2005 — and with an enormous Defense budget.

Therefore it would seem neither helpful nor courteous for Mr. Lippman to "pester" the Petitions Office staff — any more than it would have made sense to complain about discolored and brittle acknowledgment cards or other PTO disruptions after the 2001 Pentagon and anthrax attacks. Rather it seems more appro-

priate (and perhaps a patriotic duty) that he patiently let the matter lie — until receiving a decision in due course.

12. Relocation of office: The Petitioners draw attention to Petitioner Lippman's change-of-address notice (please refer to Exhibit F) in this case, and related complications. That notice was submitted to the PTO in July 2004, and it is reflected substantially (though not absolutely) correctly in the address shown for Mr. Lippman in the PTO records between 2004 and the present.

The attached Exhibit G shows that Ms. April Wise — of the Petitions staff — was correct in noting that the official records included a faulty showing of the street suffix as "Lane" rather than "Drive". In view of the fully correct appearance of the address in the change-of-address notice (Exhibit F), the Petitioners respectfully point out that the Petitioners did not contribute at all to that faulty indication of the street suffix. Rather, it is believed to be wholly due to error in, e. g., the Electronic Business Center.

As discussed in section 6 above, if the Dismissal had been mailed in accordance with Exhibit G, it is possible that it might have gone astray for some reason related to the error in street-name suffix ("Lane" rather than "Drive"). As section 6 makes clear, that was the professional view of Ms. April Wise and it cannot be said that she was incorrect.

Mr. Lippman's own opinion (suggested in section 6) is that mail sent with a misstatement of "Lane" rather than "Drive" — if not just delivered to him without delay, as routinely happens — very likely resolves itself within two or three weeks.

Nonetheless, pursuant to Ms. Wise's advice, a new address-change notice, specifically calling attention to the detail of

the street-name suffix, has now been submitted. A copy of that new notice appears as Exhibit H. As the PTO disregarded that detail, Mr. Lippman subsequently followed-up with an on-line correction.

In midJune 2004, Mr. Lippman moved away from Los Angeles, California — where he had been from 1943 — to Reno, Nevada. Although Petitioner Lippman considers himself (and makes great effort) to be reasonably well organized, there may be unavoidable imperfections in this effort.

In April through June 2004, during preparations for the move, his residence and office were unavoidably in a state of flux. Furthermore, Mrs. Aguilera and a then-assistant clerk were not available to also move from Los Angeles to Reno, to continue their employments with Mr. Lippman.

Both these people were very good employees and had received considerable training; their loss was a severe blow. Over the years Mr. Lippman had trained several office clerks to his methods and procedures, and had become reasonably effective in that role.

In his new office he was able to restore basic functions with reasonable promptness. In training of new employees, of course use of the docket system is paramount, and Petitioner Lippman took pains to be certain that incoming correspondence was promptly and properly calendared and filed.

He believes that long before July 2005 incoming matters were once again being routinely and correctly calendared. The docket-sheet printouts of Exhibit A substantiate this belief.

Based upon a current general review of PTO correspondence from 2003 to 2005, Petitioner Lippman has come to a tentative belief that the Office of Petitions had its own procedures and

(undoubtedly for good and well-considered reasons) eschewed use of the PTO's master address files in favor of answering to the address on an incoming Petition.

On one hand, the Petitioners certainly would not presume to criticize such procedures. On the other hand, it is believed that such departure from standard PTO processing is not at all general knowledge among registered patent practitioners.

Had Mr. Lippman known of such a divergent method, of course he would have written or telephoned the Office of Petitions in July 2004, immediately after moving to Nevada, to make sure that his correct and current mailing address was in the file for his 2004 Petition. Although that does not seem to have been required, it would have been a common courtesy; but unfortunately he did not know or suspect that the Office of Petitions used a divergent method.

13. Track record: Other sections of this Petition focus upon explaining delay, and upon analyzing causes of error. While that negative focus is entirely appropriate, the Petitioners respectfully wish to point out that the occurrence of delay and error in a patent practice can only be fully understood in the context of other characteristics of the practice.

To provide such a more-balanced perspective, some positive aspects of Petitioner Lippman's practice are outlined here:

He has actively drafted and prosecuted patent applications for more than 36 years, having started as an independent patent agent. He took time out for a California law degree, *magna cum laude*, about 30 years ago.

He has drafted and filed about 410 U. S. nonprovisional patent applications (plus 30 provisionals) — some filed in the

names of clients' corporate counsel, or of lawfirms, or lawfirm partners. So far more than 330 of his U. S. cases have issued.

(Clients elect to drop some cases because inventions don't work as well as expected, or due to marketplace disappointments or financial constraints. Occasionally there are PCT search surprises.)

One of his individual clients, and one of his corporate clients, have each earned between one and two million dollars from sale or licensing of patents that Mr. Lippman drafted, filed and prosecuted. Likewise based upon Mr. Lippman's work, some clients of Mr. Lippman's former law partners have fared even better.

At least apart from the present case, he has never incurably failed to file a maintenance fee. He has twice made oral argument before the Board of Appeal, both times successfully. Over 36 years, he has maintained reasonably cordial relations with all but two examiners and all but two clients, not been sued by anyone for anything, never been accused of malpractice (some of his former partners cannot say this), and never been disciplined or warned by either the Bar Association or the PTO.

14. Continuity and refinement of office operations: Despite extensive and energetic efforts to make the transition to a new locale in Nevada as smooth as possible, there was some temporary irregularity in office function. It did not, however, affect this case.

EMPLOYEES — Long before July 2005 (when the PTO mailed the Dismissal document), Petitioner Lippman had an employee capably making calendar entries in Nevada. The calendar is one of the most-critical and first-taught functions of his office, and it

was under control at the time when the Dismissal would have arrived — if it had ever arrived.

All of his several successive employees in Nevada started out knowing nothing of patents and office management — and so required that Mr. Lippman extensively train them, essentially from scratch. Nevertheless, he believes that the integrity of the calendar was maintained throughout 2005 and to the present. In addition, his personnel situation has stabilized, with finding of an excellent longterm employee.

MORE-INTENSIVE FOLLOW-UP — Partly in response to this present situation involving the maintenance fee for the subject patent, Petitioner Lippman has now strengthened his routine follow-up efforts. He now adds follow-up entries into his docket calendar — for essentially all papers that he files in the PTO.

At each point, every follow-up entry is rolled over into another follow-up entry:

- when an acknowledgment card is received, another entry is created to watch for a PAIR posting;
- then when PAIR shows that a paper is in the PTO's file, another entry is created to watch the PAIR website for forwarding of the filed paper to the examining group, or other entity within the PTO;

and so on until it is clear that appropriate action by the PTO has been actually completed.

This enhanced follow-up program is aided by very extensive use of the PAIR system to check status without having to interfere with the work of PTO employees. If it would be of interest, Mr. Lippman would be glad to submit additional exhibits showing examples of routine status-check entries.

USE AND MONITORING OF THE DEPOSIT ACCOUNT — With arrival of the 2005 Dismissal document by facsimile, it has now become possible to see that the present maintenance-fee delay involved Petitioner Lippman's deposit account. After thinking through the detailed causes of the delay, he has now put into operation a "shadow" bookkeeping system for more aggressively monitoring moneys flowing out of that account.

This change in procedures represents an effort to learn from this very regrettable experience. He has now recognized certain limitations of the PTO's deposit-account system, and is using these recognitions to improve his office operations. These points are all detailed below.

1) WITHDRAWALS ON GENERIC INSTRUCTION — In the routine use of a deposit account, funds are very often withdrawn by the PTO staff (correctly) without specific instruction from Mr. Lippman. That is in fact a main objective in having a deposit account; it does nevertheless complicate any effort to know what the balance really is.

In his bookkeeping system previously he has simply distributed, after the fact, funds flowing out of the deposit account — based upon the monthly deposit-account reports — and has relied upon "the system" to eventually sort out all such transactions.

2) WITHDRAWAL FAILURES NOT REPORTED — A danger in this approach, only now belatedly clear to Petitioner Lippman, is that the PTO's deposit-account reports do not reveal EFFORTS by PTO personnel to withdraw funds — when there is not enough money to withdraw. If the reports did show such efforts, then in this case that would have alerted Petitioner Lippman to the problem which Petitions Paralegal Liana Walsh had encountered — and would have done so within the two-month period permitted for reply to the Dismissal.

Had that occurred then of course he would have timely rescued his 2004 Petition (to accept the unintentionally-delayed maintenance fee). If his understanding is correct, then evidently this present Petition would not have become necessary. The deposit-account reports, however, in fact do not enable such rescue.

3) TELEPHONE ALERTS (AND EFT'S) OPTIONAL — Occasionally staff in the PTO have telephoned Mr. Lippman to say that funds are required for some particular fee — and Mr. Lippman has immediately used the electronic-funds-transfer system to replenish his account. When this happens, the PTO staff is able to actually see the changing balance in the deposit account, in real time during the phone conversation — and this is an extremely useful capability.

The Petitioners do not suggest that the Office of Petitions "should have" telephoned. This too comes under the heading of courtesies rather than obligations. Unfortunately in this present matter, as previously mentioned he received no such telephone call or other message.

4) DEFERRED WITHDRAWALS FOR PETITION FEES — Also unfortunately he had taken for granted that the fees for his 2004 Petition would be withdrawn from his account within a few months — whether or not a Decision on Petition was generated in that time — and accordingly he was not watching the balance closely during the time interval (thirteen months later) when Ms. Walsh apparently was checking for those Petition fees.

5) PROCEDURES FOR CURING THESE LIMITATIONS — In his new system for monitoring his deposit account, Mr. Lippman now uses simple commercial software to track debits and credits as if the deposit account were a bank account. When he specifically asks



PTO personnel to withdraw money from the deposit account, he then enters the anticipated withdrawal into the software.

The software is promptly reconciled against each monthly report. When the monthly report shows a sum of money out (or in) that has not already been entered into the software, this sum is entered at that time. If already entered earlier, that earlier entry is simply confirmed; if not already entered, then the new entry resolves the matter.

Each month the software "should" show a balance equal to that in the deposit-account report. If not, then suitable action is taken to correct either the deposit-account records or Mr. Lippman's shadow software accounting, as appropriate.

In particular, if the deposit-account report fails to reflect a withdrawal which Mr. Lippman has asked the PTO staff to make, then he can promptly follow-up with PTO staff. In the present case, such follow-up could have been required — and would have been performed — monthly for thirteen months.

6) TYPES OF DEPOSIT-ACCOUNT TRANSACTIONS DISFAVORED — Although this would eventually have prevented the delay involved in this case, that is, not an ideal way to prevent such delay. Thus the history of the present case also shows that the deposit account is excellent for some kinds of payments but not others.

In addition to making payments that are needed immediately, the deposit account is fine for routine fees that can reasonably be expected to "clear" within a month or two. It is not well suited, however, for any open-ended situation in which the practitioner cannot at all predict how long the withdrawal instruction may be held pending.

In those situations it appears best to pay by check. This is Petitioner Lippman's plan for future such situations.

15. Other requirements: Based upon the last paragraph of 37 CFR § 1.137, Petitioners believe that no Terminal Disclaimer is required in this matter. In event this understanding is not correct, Petitioners request an opportunity to cure.

16. Conclusion: The Petitioners respectfully submit that they have complied with all requirements of MPEP 2590 and 37 CFR § 1.378. More specifically, this Petition provides:

"(1) the required maintenance fee set forth in §1.20 (e)-(g);

"(2) the surcharge set forth in § 1.20(i)(1); and

"(3) a showing that the delay was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that the petition was filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent."

Further, the required showing herein does "enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly."

The Petitioners therefore ask that the accompanying eight-year fee and surcharge be accepted, and that the subject very important patent U. S. 5,467,122 be reinstated.

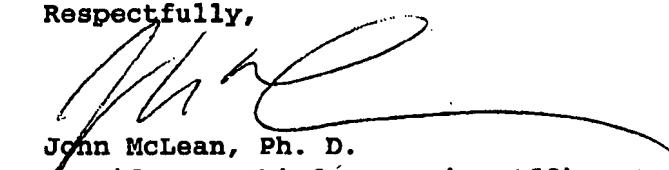
12-YEAR FEE — Further the Petitioners very respectfully take the liberty of also offering, with this Petition, the twelve-year maintenance fee for the subject Patent, so that in

case this Petition is granted the Patent will not lapse for nonpayment of the fee normally due in 2007.

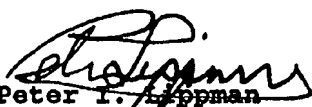
The Petitioners hope but of course do not presume that this Petition will be granted. If this tender of the current-year fee herewith is deemed improper, the Petitioners sincerely apologize and invite refund of that fee or such other action as would be preferred.

TELEPHONE CALL — In the event of any obstacle to granting this Petition, the Petitioners earnestly ask for a phone call to Mr. Lippman at 775/677-8822, to discuss such obstacle. In case he is not available to take such a call, the Petitioners hereby authorize Mr. Lippman's clerk, Mrs. Shaliene D. Ray, to discuss any and all matters related to this Petition.

Respectfully,



John McLean, Ph. D.  
President & Chief Executive Officer  
Areté Associates  
(assignee of the entire interest)



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June 5, 2007

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# KEY to types of entries stated in section headings

A. STATUTORY deadlines within 30 days. B. EXTENDABLE deadlines within 30 days C. Internal deadlines within 7 days  
D. STATUTORY deadlines over 30 days away E. EXTENDABLE deadlines over 30 days away F. Internal deadlines over 7 days away

W/wd. either home DATE— 07/25/05

of first printout

## Section headings, stating entry types ("A" or "B")

\*\* These deadlines are (see definitions above) type A

WHP-01 file to revive Alfar 60970047-1 07/25/05  
WHP-01 OA filed 5/9 1-mo. STAT. CORR'N of Inventorship 08/08/05  
LPER-Taxes 1-wk WARNING! property taxes MUST be received by 8/15 08/08/05  
WHP-01 Status? Nat'l/Reg'l filing (30 months) 08/14/05

\*\* These deadlines are (see definitions above) type B

XAA-33 Incomp'tu reply fees due w/2-mo.ext 07/11/05  
WHP-03 Packit maint. 07/27 FLAG! 07/27/05  
WHP-03 Status? fw/1988 pd.1/21/05 07/20/05  
WHP-03 JP oa/com'ts fw-5/26 2nd DPT to Oral due 6/1 60002639-2JP 07/21/05  
WHP-03 1/4 2nd DPT to Oral JP oa due 8/1 60002639-2 JP 07/26/05  
WHP-03 Secrecy order fw/ email of 6/2 07/27/05

WHP-03 Packit 7.5-yr. maint. fee 07/27/05  
WHP-03 PL fw/Furuya smmt. 07/29/05  
LPER-JW how to get JW doc to WTC?? 07/29/05  
XAA-24 Analysis Art 08/01/05  
XAA-14 fw/Moleen & updates DONE???? 08/01/05  
LPER-JW BUC Cindy Coe 08/01/05

WHP-03 Check status 12/7/04 issue fee pd 08/01/05  
WHP-03 fw/petition filed 2/2/05 08/01/05  
WHP-03 1-wk WARNING! OA due 08/08 have RPO 08/01/05  
WHP-03 Regular-ap 10/3 FLAG! -- Needs CLAIMS! 08/03/05

WHP-03 smmt filed 12/7/04 USPTO oa ent'rd 2/4 Status? 6098038-7 08/04/05  
LPER-Taxes received TAX BILL Mail by 8/10 Must be paid before 08/08/05  
WHP-03 patent to issue 4/5 ok status 6098038-2 08/08/05

WHP-03 1-wk WARNING! OA due 8/08 have RPO 08/08/05  
XAA-38 If on final, APPEAL! 2-mo.ext & APPEAL!! 08/08/05  
WHP-03 Ck stat in PAIR went to Tech. Cen'r 8/6/4 ans' Montse eml 5/10 08/08/05

WHP-03 fw/mis'g pts. filed 5/6 Status? 08/07/05  
WHP-03 AIR & LENS specimens show. use 75/692,042 08/08/05  
XAA-42 cent'n req. filed 4/11 Status 75/692,043 08/08/05  
WHP-03 Query Neal: vent ap? 08/08/05

WHP-03 RENEWAL FEES paid by WPT 5/23 BILL ARRETS 08/08/05  
WHP-03 RENEWAL FEES paid 6/23 by WPT BILL ARRETS 08/08/05  
WHP-03 RENEWAL FEES paid 7/6 by WPT BILL ARRETS 08/08/05

WHP-03 draft to Durville? 60990047 08/08/05  
WHP-03 requested RPO's for 127 834 845 882 to Bill HP 08/08/05  
WHP-03 ok stat ready to issue fw/1988: PAID 11/1 fees received 11/8 08/08/05

WHP-03 OA filed 5/8 Status? 08/08/05  
WHP-03 OA reply filed 5/9 restriction requir't Status? 08/09/05  
WHP-03 If on final, APPEAL 4-mo.ext & APPEAL!! 08/09/05

WHP-03 check with HP on st. of missing parts USPTO rec 2/11 08/10/05  
WHP-03 Status? due 9/10 60002639-1 08/10/05  
WHP-03 ISSU fee paid 6/14 60003198-1 08/10/05

WHP-03 fw/PAIR=Grant deal patent issued 3/1 patent's 6862109 08/11/05

WHP-03 check status mis'g parts rec 2/11 Santi's 1-line 08/11/05

XAA-67 prov'l filed 5/11 status 08/11/05

XAA-59 file NEW provisional new file in cabinet 08/12/05

WHP-42 Status? OA filed mixup w/841 Claims rejections 08/13/05

XAA-49 ok when to be issued fw/proo'g corr fill'g rec't mailed 8/19/04 08/13/05

WHP-54 Status? docket new case MP filed 4/28/03 08/13/05

XAA-18 issue fee pd 4/14 Status? in PAIR 6/7 billed Arete 4/21 PD 08/14/05

WHP-33 OA reply/2mo.ext'n 08/14/05

WHP-33 OA non compliant. DUS see OA drawings 08/14/05

WHP-33 Status?OA filed 6/14 PL resolved Fig. problem 08/14/05

WHP-33 Status? OA filed 6/14 60003198-1 08/14/05

## Record numbers, starting 1st printout

1 09/495,866 ASYMM. RESOL'N  
2 09/819,260 MEDIA-POINT COMPENS'N  
3  
4 60/601,015 Kane LIDAR PHASE  
5 09/688,610 Donovan MODIFIED MATRIX  
6 Kane PCT OPTICAL SENSOR

## Deadline DATES

7 11/015,285 Kane STILL MENS  
8 5,712,990 01/27/98 filed 10/03/01  
9 09/945,492 Eiffel CC  
10 09/845,062 Vega AEROSOL CONTROL  
11 Lain MULTILEVEL HT+EP 09/642,416  
12 09/642,416 Lain MULTILEVEL HT+EP  
13 Kane QUAD CELL/MSR

14 60/601,015 Kane LIDAR PHASE  
15 5,712,990 01/27/98 filed 10/03/01  
16 Cluet INTRAPAD 60990047 (JP)  
17  
18 PCT/US 03/39536 Cat's Eye: pay div. to Jose? **drawings**  
19 LIDAR independent ap. or CIP  
20

21 09/945,024 Such CLC AUTOTRIGGER  
22 09/642,416 G11 60001011-1  
23 09/912,406 INK PRESSURE  
24 10/205,292 BACK AND PANEL  
25 09/642,417 G11 DO  
26 10/74,563 R. P. INTRANET  
27 6/615,470 THREADED QUICK-DISCONNECT  
28 09/912,406 Lewis INK PRESSURE  
29 3rd Monday of August to avoid penalty  
30 08/012,406 INK PRESSURE

31 09/945,024 Such CLC AUTOTRIGGER  
32 09/945,492 Villanova Eiffel CC 60007252-1  
33 11/023,299 SHIPSHIELD cont  
34 11/043,722 LATENT LJ PRINT'G  
35 60012470-2 Such, RP WORKFLOW 10/124,647  
36 10/265,277 CIRCULATING MICRO  
37 09/945,024 CLC AUTOTRIGGER

38 11/043,587 dePena MEAS-FIELD HALFTONE  
39 3,329,541 03/15/2000 filed 04/26/1999  
40 3,329,542 03/15/2000 filed 04/26/1999  
41 10/290,108 NITRATE SENSOR  
42 ACTIVE CHD.W/O/VOLTG. PROT'N (Ty. Williams)  
43 Glickler STILL-MENS patent GB2403614  
44 Glickler EYE-SAFE LIDAR patent GB2403615  
45 parent PATENT GB2380344

46 09/64,418 INTRAPAD  
47 830 831 853 s61 RPO need to be countersigned  
48 10/132,742 SMART BRICK Re...  
49 09/819,260 MEDIA-POINT COMPENS'N  
50 10/290,108 Orser NITRATE SENSOR

51 10/290,108 NITRATE SENSOR  
52 09/642,417 G11 DO  
53 10/894,766 PROGRESSIVE MASK  
54 09/642,416 MULTILEVEL HT+EP  
55 09/755,771 G11 TRUE 25c PIPE  
56 10/273,219 Garcia FAST MASKBUILDER ?????

57 10/894,766 Santiago PROGRESSIVE MASK  
58 Kane PROJECTOR  
59 MultispedPol (MS/MP) McLean  
60 09/819,207 Soler MEDIA-IND CALER 60990045-1  
61 lidar follow-on ap call USPTO  
62 10/246,610 Jorda EMULATION  
63 10/265,278 Kane MICROPUMP  
64 09/778,771 TRUE 25c PIPE

65 11/043,772 Vega LATENT I.J. PRG.  
66 09/775,771 G11 TRUE 25c PIPE 60003198-1  
67 09/775,771 TRUE 25c PIPE (send RPO to HP)

## Database

## RECORD numbers

## Deadline DATES

external/extendable, within one  
one month (and so all before 9/15/05)

DOCKET codes

Exhibit A -- page 1 of 13

NEW printout  
called  
drawings  
received  
3-24-05  
10/124,647

First printout, second page: record-number listing continues

Docket codes

if on final, APPEAL: 2-mo.ext & APPEAL71:	08/14/05	68 09/775,771 TRUE 35c PIPE
File NEW provisional new file in cabinet Kane MO GIMDALS	08/15/05	69 Kane MO GIMDALS
Gary Small request EPOA response 60/960,030-3	08/15/05	70 Done???
Request for Corrt'ed Filing Receipt NO Attorney see OA	08/15/05	71
study Stanley case.	08/15/05	72 Stanley Home Automation
Study Meal's ap. Bird in hand!	08/15/05	73 GPS/CC: study status
abandon or revive w/ 3-mo. ext. fees	08/15/05	74 11/053,746 Bowker LIDAR FOLLOW-ON 249 parent
QA filed 7/16 STATUS incorp'te reply fees <b>BILL ARETE PREC</b>	08/16/05	75 11/023,042 SHIPSHIELD div'nl
file NEW provisional new file in cabinet	08/17/05	76 Kane PSP extension
Status? QA filed 6/17. 60019892-1	08/17/05	77 09/874,524 LAMMENS ABR
record Assignment	08/17/05	78 10/176,563 R. P. INTRAPAD
Mail patent to HP 2/8/05 patented	08/18/05	79
status rewrit'en tx draw'gs Entered 4/18 in PAIR 6/7/5	08/18/05	80 10/149,063 Sequence Constrnt APV
Record assignment have notarised assign for nat/regional	08/18/05	81 10/265,278 Kane MICROPUMP <b>BILL ARETE</b>
get entered into PAIR system	08/18/05	82 PCT/US01/19635 Kane CATS EYE/MER (492 55 US)
do assignment	08/18/05	83 Kane CIRCULATING MICROPUMP 10/265,277
assignment done? 195u fee pd 1/21 patent issued 3/1	08/18/05	84 10/984,766 PROGRESSIVE MASK
executed assignment to file Email Montse recordation form	08/18/05	85 09/845,062 Vega AEROSOL CONTROL
abandon or not? 3-mo.ext!	08/18/05	86 60/020,806-1 PROGRESSIVE MASK
File NEW provisional new file in cabinet	08/18/05	87 11/053,746 LIDAR follow-on
stdy NERAC TM report Get back to DaveKane w/assessment	08/19/05	88 Kane/Salywn QC REFINEMENTS
Status? OA reply	08/19/05	89 CATS EYE TRADEMARK
fu/missing parts	08/19/05	90 09/845,492 Eiffel CC
status??? PL investigate EP resp -2/6	08/20/05	91 11/043,587 dePena NEAN-FIELD HALFTONE
Warning OA duell advisory IDS ROE amend 1-mo time ext	08/20/05	92 Aral-ana COMPOS. CODESTRIP 60960001-2 (EPO)
check status EPOA response 60/990,002	08/21/05	93 09/642,418 INTRAPAD
QA dual w/1-mo.ext. abstract, drawings claim rejections	08/21/05	94 VARIABLE ADVANCE Sapata
QA dual Advisory	08/21/05	95 10/365,277 CIRCULATING MICRO
QA reply/1-mo.ext/n	08/21/05	96 09/642,418 INTRAPAD
QA reply/1-mo.ext/n	08/21/05	97 10/265,277 CIRCULATING MICRO
PL to ohk pedigree 60980038-2	08/21/05	98 09/642,418 INTRAPAD
CONT a38 DIV'L a37 mail copy to client	08/22/05	99 09/912,406 INK PRESSURE
mixup w/241 Status?	08/22/05	100 09/390,687 SHIPSHIELD JUMBO - Also a491
if on final, APPEAL: 2-mo.ext & APPEAL71:	08/23/05	101 09/910,207 MEDIA-IND CALER
issue fee pd 8/24/04 PATENTED 10/5/04 check status	08/23/05	102 09/919,207 MEDIA-IND CALER
	08/24/05	103 10/236,611 WHITE-DRUP MASK

These deadlines are (see definitions above) type C  
180S- DO STATEMENTS

08/01/05 104

Section heading (internal deadlines)

More deadline dates external and extendable, within one month (therefore all before 9/15/05)

**Section heading, stating entry type "D"**  
**(nonextendable deadlines more than 1 month in future)**

~First printout, 3rd page~

**Deadline dates, record numbers continue**

** These deadlines are (see definitions above) type b			
KAA -42	on final? APPEAL!	OA 6-mo. STAT.	09/09/05 105 10/290,108 NITRATE SENSOR
KAA -24	status?	Nat'l/Reg'l Filing	09/11/05 106 Kane PCT OPTICAL SENSOR BILL ABWEE
KHPS-33	on final? APPEAL!	OA 6-mo. STAT.	09/14/05 107 09/775,771 TRUE 25c PIPE
KAA -37	on final? APPEAL!	OA 6-mo. STAT.	09/16/05 108 12/033,042 SHIPSHIELD div'n1
KHPS-42	on final? APPEAL!	OA 6-mo. STAT.	09/23/05 109 09/919,207 MEDIA-IND CALBR
KHCA-50		file regular ap --in U.S., PCT 4/or for'n	10/03/05 110 based on 60/615,670 THREADED QUICK-DISCONNECT
KAA -38	on final? APPEAL!	OA 6-mo. STAT.	10/05/05 111 11/033,399 SHIPSHIELD cont
KHPS-57	on final? APPEAL!	OA 6-mo. STAT.	10/07/05 112 09/946,024 CLC AUTOTRIGGER
ASBI-07	LCD Disp CONTIN'N	12th-yr. maint. fee	10/12/05 113 5,282,955 10/12/93 filed 05/24/91
KAA -28	1 no Warning! prov'l	expires 1/13/06	10/13/05 114 60/643,867 Kane QUAD CELL MBR
KAA -30	3 no Warning! prov'l	expires 1/13/06	10/13/05 115 60/643,869 Kane AMBS WAVEFRONT SENSOR
KAA -19	on final? APPEAL!	OA 6-mo. STAT.	10/31/05 116 10/265,277 CIRCULATING MICRO
KJGU-03	HEARTWARE askKrieger	10-year renewal	10/31/05 117 1,931,905 10/31/95 filed 02/05/93
KHPS-10	on final? APPEAL!	OA 6-mo. STAT.	12/09/05 118 09/642,417 Gil on
KAA -37	OA filed 5/16	STATUS?	11/16/05 119 11/033,042 SHIPSHIELD div'n1
KHPS-48	on final? APPEAL!	OA 6-mo. STAT.	11/18/05 120 09/945,492 Biffal CC
KHPS-28	on final? APPEAL!	OA 6-mo. STAT.	11/21/05 121 09/642,418 INTRAPAD
KAA -37	1-no Warning!	foreign filing	12/04/05 122 11/033,042 U.S SHIPSHIELD "jumbo" divisional
KHPS-31	on final? APPEAL!	OA 6-mo. STAT.	12/10/05 123 09/642,416 MULTILEVEL ST-SP
KAA -28	1 no Warning! prov'l	expires 1/13/06	12/13/05 124 60/643,867 Kane QUAD CELL MBR
KAA -30	1 no WARNING! prov'l	expires 1/13/06	12/13/05 125 60/643,869 Kane AMBS WAVEFRONT SENSOR
KHPS-40		OA 6-mo. STAT.	12/17/05 126 09/874,534 Lamana ABR
KHPS-80	1 no FLAG!	foreign filing due	12/26/05 127 11/043,772 LATENT PRINTING
KAA -38		foreign filing	12/27/05 128 11/033,299 SHIPSHIELD cont
KAA -37		foreign filing	12/27/05 129 11/033,042 SHIPSHIELD div'n1
KAA -42	on final? APPEAL!	OA 6-mo. STAT.	12/29/05 130 10/290,108 FLUORESCENCE-QUEN
KAA -50	on final? APPEAL!	OA 6-mo. STAT.	01/08/06 131 10/155,745 MASC
KAA -28	FILE REG APPLIC'N	prov'l expires 1/13	01/12/06 132 60/643,867 Kane QUAD CELL MBR
KAA -30	FILE REG APPLIC'N	prov'l expires 1/13	01/12/06 133 60/643,869 Kane AMBS WAVEFRONT SENSOR
KHPS-80	foreign filing due		01/26/06 134 11/043,732 LATENT LJ PRINT'G
KHPS-79	foreign filing due		01/26/06 135 11/043,587 dePena MEAN-FIELD HALFTONE
ATTC-03	PACKIT	8th-yr. maint. fee	01/27/06 136 5,712,990 01/27/98 filed 10/03/91
KAA -54	AUS response DUE	AUS pat. 2001282850	02/18/06 137 Gleckler MULTI SLIT LIDAR
KAA -61		foreign filing	02/23/06 138 11/051,746 LIDAR follow-on
KHOC-07	AIRLESS w/design	Sec. 8-15 DEADLINE	03/15/06 139 2,329,861 03/15/2000 filed 04/26/1999
KHOC-06	AIR 4 LESS	Sec. 8-15 DEADLINE	03/15/06 140 2,329,842 03/15/2000 filed 04/26/1999
KAA -09	MEDICAL LIDAR	4th-year maint. fee	06/04/06 141 6,400,394 06/04/2002 filed 11/13/1995
KAA -49	CTD SENSOR	4th-year maint. fee	06/11/06 142 6,404,204 06/11/2002 filed 05/01/2000
KHCA-16	ELECTRON KEY UTIL	12th-yr. maint. fee	06/21/06 143 5,322,992 06/21/94 filed 06/22/92
LDNJ-07	MAGNETIC LINKS	12th-yr. maint. fee	07/26/06 144 5,321,861 07/26/94 filed 09/28/92
KAA -67	f/v new provisional	filed 5/11/05	08/11/06 145 Kane PROJECTION
KHPS-08	SUCTION BOOST	8th-yr. maint. fee	10/04/06 146 5,816,156 10/04/99 filed 10/07/97
FVUH-18	WEDGE JOINT	8th-yr. maint. fee	12/15/06 147 5,848,853 12/15/98 filed 05/17/95
KHOC-42	RACK-AND-PANEL	4th-year maint. fee	01/16/07 148 6,506,068 01/16/2003 filed 09/28/2000
KHPS-02	cont.	4th-year maint. fee	01/31/07 149 6,508,816 01/31/2003 filed 11/09/1998
KHPS-02	ELING	10-year renewal	02/18/07 150 2,038,593 02/18/97 filed 01/23/96
KHPS-03	KING and design	10-year renewal	02/18/07 151 2,038,592 02/18/97 filed 01/23/96
KAA -55	GAS ANALYSER	4th-year maint. fee	03/04/07 152 6,527,398 03/04/2003 filed 06/08/2000
KAA -11	CTD SENSOR div'l	4th-year maint. fee	06/10/07 153 6,577,134 06/10/2003 filed 12/06/2001
KAA -11	CTD SENSOR DIV'L	4th-year maint. fee	06/10/07 154 6,577,134 06/10/2003 filed 12/06/2001
KHON -13	PAD/PLENUM/PHEUMA	8th-yr. maint. fee	06/29/07 155 5,915,887 06/29/1999 filed 02/19/1997
KAA -15	PRINT WIDGET	8th-yr. maint. fee	10/05/07 156 5,963,657 10/05/1999 filed 09/09/1996
KAA -05	OCEAN-VOL. LIDAR	12th-yr. maint. fee	11/14/07 157 5,467,123 11/14/95 filed 04/12/93
LDNJ-20	WAMS (reserve)	8th-yr. maint. fee	11/16/07 158 5,986,372 11/16/1999 filed 06/07/1995
ASBI-09	LCD/phone-entry	12th-yr. maint. fee	12/12/07 159 5,475,741 12/12/95 filed 06/06/94
KAA -86	Exam Request	DEADLINE AUS	12/13/07 160
LDNJ-19	TABLES	4th-year maint. fee	01/27/08 161 6,482,217 01/27/2004 filed 06/07/1995
KAA -31	BIOSENSOR	4th-year maint. fee	02/17/08 162 6,492,696 02/17/2004 filed 04/18/1998
KHPS-38	SMART BRICK	8th-yr. maint. fee	04/25/08 163 6,054,046 04/25/2000 filed 10/29/1996
KAA -06	Japan CTD case	foreign filing DUE	04/30/08 164 01/862,74 CTD SENSOR
KHPS-07	MEXICO EXPRESSV/d	10-year renewal	05/05/08 165 2,154,873 05/05/98 filed 03/11/97
LDNJ-14	MAGN. LINK CONTIN	12th-yr. maint. fee	06/11/08 166 5,524,499 06/11/96 filed 07/25/94
KAA -02	PERISCOPE	12th-yr. maint. fee	06/18/08 167 5,328,493 06/18/96 filed 08/22/94
LDNJ-18	WAMS	8th-yr. maint. fee	07/25/08 168 6,093,989 07/25/2000 filed 06/06/1995
KHPS-06	MEXICO	10-year renewal	09/15/08 169 2,188,948 09/15/1998 filed 02/11/1997
KHPS-30	SMART CABLE	12th-yr. maint. fee	10/29/08 170 5,570,002 10/29/96 filed 02/18/94
KAA -32	servicemark	Sec. 8-15 DEADLINE	10/29/08 171 2,641,672 10/29/2002 filed 05/09/2000
KTUI-04		renewal DEADLINE	11/01/08 172 "DAR COLLECTION". reg 1,510,705 11/1/80
LDNJ-17	WAMS w/TO	8th-yr. maint. fee	01/23/09 173 6,176,616 01/23/2001 filed 06/06/1995
KHPS-02	"CAP" HOUSE	8th-yr. maint. fee	03/13/09 174 6,199,973 03/13/2001 filed 09/03/1997
KHON -09	CLOC/DUST CONTROL	12th-yr. maint. fee	07/08/09 175 5,645,379 07/08/97 filed 11/22/95
KHPS-41	RACK-AND-PANEL	8th-yr. maint. fee	07/17/09 176 6,261,111 07/17/2001 filed 02/12/1998
ATTC-03	PACKIT	12th-yr. maint. fee	01/27/10 177 5,712,990 01/27/98 filed 10/03/91

**Detail entries**  
**(not extendable)**  
**BRACKETING the**  
**September 15**  
**deadline date**  
**for reply to the**  
**unreceived**  
**Dismissal**

**More deadline dates,**  
**trailing to year 2010**

~fourth page of first printout~

listing of deadline dates and record numbers continues  
from third page

XAA-04	AIRLESS w/design	10-year renewal	75/692,042	03/15/10	178 2,329,541	03/15/2000	filed 04/26/1999
XAA-09	ATR 4 LESS	10-year renewal	75/692,042	03/15/10	179 2,329,542	03/15/2000	filed 04/26/1999
XAA-69	MEDICAL LIDAR	8th-yr. maint. fee	08/556,716	06/04/10	180 6,400,396	06/04/2002	filed 11/13/1995
XMRP-08	CTD SENSOR	8th-yr. maint. fee	09/562,849	06/11/10	181 6,404,204	06/11/2002	filed 05/01/2000
XVSB-08	SUCTION BOOST	12th-yr. maint. fee	08/946,294	10/06/10	182 5,616,186	10/06/98	filed 10/07/97
XVSB-08	WEDGE JOINT	12th-yr. maint. fee	08/649,986	12/18/10	183 5,848,852	12/18/98	filed 03/17/96
XNCA-62	RACK-AND-PANEL	8th-yr. maint. fee	09/577,331	01/14/11	184 6,506,065	01/14/2003	filed 09/28/2000
XPR-03	CONT.	8th-yr. maint. fee	09/188,915	01/21/11	185 6,808,814	01/21/2003	filed 11/09/1998
XAA-55	GAS ANALYSER	8th-yr. maint. fee	09/590,321	03/04/11	186 6,527,398	03/04/2003	filed 06/08/2000
XAA-11	CTD SENSOR div'l	8th-yr. maint. fee	10/010,936	06/10/11	187 6,577,134	06/10/2003	filed 12/06/2001
XAA-11	CTD SENSOR DIV'L	8th-yr. maint. fee	10/010,936	06/10/11	188 6,577,134	06/10/2003	filed 12/06/2001
XAA-13	PAD/PLENUM/PNEUMA	12th-yr. maint. fee	08/801,628	06/29/11	189 5,919,887	06/29/1999	filed 02/19/1997
XAA-15	PRINT WIDGET	12th-yr. maint. fee	08/709,789	10/05/11	190 5,962,657	10/05/1999	filed 09/08/1998
10BJ-20	WAMB (reserve)	12th-yr. maint. fee	08/485,473	11/16/11	191 5,986,372	11/16/1999	filed 04/07/1995
10BJ-18	WAMB	11.5-yr. maint. fee	08/487,067	01/25/12	192 6,093,989	07/25/2000	filed 06/06/1995
10BJ-19	TABLES	8th-yr. maint. fee	08/485,492	01/27/12	193 6,682,217	01/27/2004	filed 06/07/1995
XAA-31	BIOSENSOR	8th-yr. maint. fee	09/100,526	02/17/12	194 6,692,696	02/17/2004	filed 06/18/1998
XNCA-38	SMART BRICK	12th-yr. maint. fee	08/739,460	04/25/12	195 6,054,846	04/25/2000	filed 10/29/1996
10BJ-18	WAMB	12th-yr. maint. fee	08/487,067	07/25/12	196 6,093,989	07/25/2000	filed 06/06/1995
XAA-32	servicemark	10-year renewal	76/045,662	10/29/12	197 2,641,672	10/29/2002	filed 05/09/2000
10BJ-17	WAMB w/TO	12th-yr. maint. fee	08/480,561	01/23/13	198 6,178,616	01/23/2001	filed 06/06/1995
XNP2-02	"CAP" HOUSE	12th-yr. maint. fee	08/923,213	03/13/13	199 6,199,973	03/13/2001	filed 09/03/1997
XNCA-41	RACK-AND-PANEL	12th-yr. maint. fee	09/022,850	07/17/13	200 6,261,111	07/17/2001	filed 02/12/1998
XAA-09	MEDICAL LIDAR	12th-yr. maint. fee	08/556,716	06/04/14	201 6,400,396	06/04/2002	filed 11/13/1995
XAA-69	CTD SENSOR	12th-yr. maint. fee	09/562,849	06/11/14	202 6,404,204	06/11/2002	filed 05/01/2000
XNCA-43	RACK-AND-PANEL	12th-yr. maint. fee	09/677,331	01/14/15	203 6,506,065	01/14/2003	filed 09/28/2000
XPR-03	CONT.	12th-yr. maint. fee	09/188,915	01/21/15	204 6,508,814	01/21/2003	filed 11/09/1998
XAA-55	GAS ANALYSER	12th-yr. maint. fee	09/590,321	03/04/15	205 6,527,398	03/04/2003	filed 06/08/2000
XAA-11	CTD SENSOR div'l	12th-yr. maint. fee	10/010,936	06/10/15	206 6,577,134	06/10/2003	filed 12/06/2001
XAA-11	CTD SENSOR DIV'L	12th-yr. maint. fee	10/010,936	06/10/15	207 6,577,134	06/10/2003	filed 12/06/2001
10BJ-19	TABLES	12th-yr. maint. fee	08/485,492	01/27/16	208 6,682,217	01/27/2004	filed 06/07/1995
XAA-31	BIOSENSOR	12th-yr. maint. fee	09/100,526	02/17/16	209 6,692,696	02/17/2004	filed 06/18/1998

Still more nonextendable deadlines  
trailing from 2010 through 2016

Another section heading, stating entry type "E" -- extendable deadlines more than 1 month in future

~first printout, fifth page~

DATES of deadlines, and RECORD numbers continue

\*\* These deadlines are (see definitions above) type E

XAA -29	Arete PD fees for	annuities Pay Planer	08/25/05
XHP2-00	Check PAIR resets	some done on 7/25	08/25/05
XHP2-32	QA mailed 4/29	Status	08/29/05
XAA -42	1-mo Warning OA due	9/29 claim reject'n	08/29/05
XHP2-00	CHECK status of 23	HP cases reset in	08/30/05
XAA -38	If on final, APPEAL	3-mo.ext & APPEAL!!	09/05/05
XHP2-57	If on final, APPEAL	3-mo.ext & APPEAL!!	09/07/05
XAA -50	1-mo Warning OA due	10/8 claim rejection drawings	09/08/05
XHP2-30		QA reply/1-mo.ext'n	09/09/05
XAA -83	IDB	app filed 6/13/05	09/09/05
XHP2-21		QA reply	09/10/05
XAA -33	Incomp'te reply fees	status	09/11/05
XAA -09	BILL ARETE 3.5 yr	maint fees due 12/4	09/11/05
XAA -69	BILL ARETE 3.5 yr	maint fee due 12/11	09/11/05
XHP2-26	Status?	appeal brief	09/13/05
XAA-02	2-mo reply	final rejection	09/13/05
XAA -13	2-mo reply	Final rejection	09/13/05
LBUS-	???	NO calendar: no ext for formal anymore!	09/14/05
XAA -35	Status?	Mat'l/Noq'l filed 7/14/05	09/15/05
XAA -54	status? US/CB cases	AUS resp. due 2/19/6 AUS pat. 2001282850	09/15/05
XAA -37	incomp'te reply fees	filed 7/16 w/2mo ext	09/16/05
XAA -54	fw/status	IDB filed 3/18	09/18/05
XHP2-48		QA reply/1-mo.ext'n	09/19/05
LBUS-	DO STATEMENTS		09/20/05
LBUS-	make sure all new fl	lings have fw/ calan dered	09/21/05
BUS -	DO STATEMENTS		09/21/05
XAA -19	If on final, APPEAL	2-mo.ext & APPEAL!!	09/21/05
XHP2-24	If on final, APPEAL	2-mo.ext & APPEAL!!	09/21/05
XAA -50	2-mo Warn/OA due 10/8	claim reject. draw'g cited references	09/23/05
XHP2-29	status	fw/resp. filed 5/25	09/23/05
XHP2-64	missing parts:	QA Status?	09/20/05
XAA -42		QA reply	09/29/05
XAA -50		QA reply	10/08/05
XHP2-30	If on final, APPEAL	2-mo.ext & APPEAL!!	10/09/05
XHP2-31		QA reply/1-mo.ext'n	10/10/05
XAAA-02	Final Rejection DUE		10/12/05
XAA -13	QA due	Final rejection	10/13/05
XHP2-35	check status	amnt filed 10/15/04	10/15/05
XHP2-52	fw QA final reject'n	Status?	10/17/05
XAA -69	Ck PAIR status on	Certif. of Correct'n	09/312,869 (5/1/00)
XHP2-48	If on final, APPEAL	3-mo.ext & APPEAL!!	10/19/05
XHP2-42	QA filed 7/23	Status?	10/23/05
XHP2-88	In PAIR 7/25/05	Check Status	10/28/05
XAA -42		QA reply/1-mo.ext'n	10/29/05
XAA -50		QA reply/1-mo.ext'n	11/08/05
XHP2-31	If on final, APPEAL	2-mo.ext & APPEAL!!	11/10/05
XAA -33	filed 5/11	6-mo. STAT.	11/11/05
XAA -54	AUS response due	2/19/06	11/19/05
XHP2-28		fw/OA resp of 8/21	11/21/05
XAA -20	Check status Dockete	d New Case 11/23/04	11/23/05
XHP2-79		for'm 1/26 FLAG!	11/27/05
XAA -82	If on final, APPEAL	3-mo.ext & APPEAL!!	11/29/05
XAA -09	MEDICAL LIDAR	3.5-yr. maint. fee	08/556,716
XAA -50	If on final, APPEAL	2-mo.ext & APPEAL!!	12/08/05
XAA -69	CTD SENSOR	3.5-yr. maint. fee	09/562,849
XACA-16	ELECTRON KEY UTIL	11.5-yr. maint. fee	09/902,681
XHP2-79	1-mo FLAG!	foreign filing due	12/26/05
XAA -38	fw/ status	filed 12/27/04	12/27/05
XAA -38	fw/ status	filed 12/27/04	12/27/05
IDB7-07	MAGNETIC LINKS	11.5-yr. maint. fee	07/952,471
LBUS-01	0	RENEW MACAFRE softwr	1 before 4/5 ddline
XAA -54	RENEWAL FEES due	4/26	03/15/06
XAA -54	RENEWAL FEES due	4/26	03/15/06
XAA -54	renewal fees due	3/15	03/15/06
XJCK-21	1-mo Warning!	file prov'l DUE 5/1	04/01/06
XNRP-08	SUCTION BOOST	7.5-yr. maint. fee	08/946,294
XJCK-21	file reg application		05/01/06
XAA -85	42- Month deadline	CAS filing due 6/13	05/22/06
FWB-18	WEDGE JOINT	7.5-yr. maint. fee	08/649,986
XACA-42	RACK-AND-PANEL	3.5-yr. maint. fee	09/677,331
XNRP-03	cont.	3.5-yr. maint. fee	09/688,915
XAA -85	GAS ANALYMER	3.5-yr. maint. fee	09/690,321
XAA -11	CTD SENSOR div'l	3.5-yr. maint. fee	10/010,936

210	Pottar PERISCOPE	08/25/05
211		08/25/05
212	09/702,939 GRAY NEUTRALITY	08/29/05
213	Greer FLUORESCENCE-QUENCHING NITRATE	08/29/05
214	cases reset on 2/25 Call if not reset	08/30/05
215	11/023,399 SHIPSHIELD Cont	09/05/05
216	09/946,024 CLC AUTOTWIGGER	09/07/05
217	10/155,745 MASC	09/08/05
218	09/642,417 GIL DD	09/09/05
219	11/151,894 Kane OPTICAL SYSTEM	09/09/05
220	09/642,416 MULTILEVEL HT-SP	09/10/05
221	11/015,285 STIL MEMS	09/11/05
222	08/556,716 filed 11/13/95	09/11/05
223	09/751,849 filed 5/1/00	09/11/05
224	09/688,610 Donovan MODIFIED MATRIX	09/13/05
225	09/886,989 DISTARS DRAFT OA response	09/13/05
226	10/013,320 Farruggia CTD CONT'	09/13/05
227		09/14/05
228	Felzer PCT Wavelength Converter	09/15/05
229	Glocklar MULTI SLIT LIDAR	09/15/05
230	11/023,042 Lubard SHIPSHIELD divisional	09/16/05
231	Glocklar U. K. plural-slit STIL BILL ARETE	09/18/05
232	09/945,493 Kiffel CC	09/19/05
233		09/20/05
234		09/21/05
235		09/21/05
236	10/265,277 CIRCULATING MICRO	09/21/05
237	09/642,418 INTRAPAD	09/21/05
238	10/155,745 MASC	09/23/05
239	09/629,363 PASSTHRU email frm trackconfirm?	09/23/05
240	10/994,766 PROGRESSIVE MARK	09/20/05
241	10/290,108 FLUORESCENCE-QUEN	09/29/05
242	10/155,745 MASC	10/08/05
243	09/642,417 GIL DD	10/09/05
244	09/642,416 MULTILEVEL HT-SP	10/10/05
245	09/886,989 DISTARS	10/12/05
246	10/013,320 CTD SENSOR BILL ARETE	10/13/05
247	600033289E35 Vega FLOWTRACER/DEBUCKER	10/15/05
248	10/176,563 RP INTRANET	10/17/05
249	6,404,204 issued 6/11/02	10/17/05
250	09/945,493 Kiffel CC	10/19/05
251	09/919,207 MEDIA-IND CALAR	10/23/05
252	09/150,321 MASK ON DEMAND	10/28/05
253	10/290,108 FLUORESCENCE-QUEN	10/29/05
254	10/155,745 MASC	11/08/05
255	09/642,416 MULTILEVEL HT-SP	11/10/05
256	11/015,285 STIL MEMS	11/11/05
257	Glocklar MULTI SLIT LIDAR	11/19/05
258	09/642,418 60990047 INTRAPAD	11/21/05
259	10/426,907 Griffiths HESS **STATUS?*	11/23/05
260	11/043,587 dePena MEAN-FIELD HALFTONE	11/27/05
261	10/290,108 FLUORESCENCE-QUEN	11/29/05
262	6,400,386 06/04/2002 filed 11/13/1995	12/04/05
263	10/155,745 MASC	12/08/05
264	6,404,204 06/11/2002 filed 02/01/2000	12/11/05
265	6,322,092 06/21/94 filed 06/22/92	12/21/05
266	11/043,587 dePena MEAN-FIELD HALFTONE	12/26/05
267	11/023,399 Lubard SHIPSHIELD continuation	12/27/05
268	11/023,399 Lubard SHIPSHIELD continuation	12/27/05
269	6,321,861 07/26/94 filed 09/28/92	01/24/06
270		03/03/06
271	Glocklar STIL-MEMS patent GB2403614	03/15/06
272	Glocklar EYE-SAFE LIDAR patent GB2403615	03/15/06
273	parent PATENT GB2380244	03/15/06
274	60/676,865 Kallf INSUFFLATION	04/01/06
275	6,616,156 10/06/98 filed 10/07/97	04/06/06
276	60/676,865 INSUFFLATION	05/01/06
277	Kane CATS EYE/MER PCT/US03/29835	05/22/06
278	3,848,852 12/15/98 filed 05/17/96	06/15/06
279	6,506,065 01/14/2003 filed 09/28/2000	07/14/06
280	6,508,814 01/21/2003 filed 11/09/1998	07/21/06
281	6,527,398 03/04/2003 filed 06/08/2000	08/04/06
282	6,577,134 06/30/2003 filed 12/06/2001	12/10/06

Deadlines bracketing Sept. 15

Sept. 15 deadlines

Extendable deadlines over a month in the future, trailing to 2006



**More extendable deadlines  
over a month in future,  
trailing to 2015**

~first printout, sixth page~

CTD SENSOR DIV'L	3.5-yr. maint. fee	10/010,936	12/10/06	283 6,577,136 06/10/2003 filed 12/06/2001
PAD/PLENUM/PNEUMA	7.5-yr. maint. fee	08/802,628	12/29/06	284 5,918,887 06/29/1999 filed 02/19/1997
ck Japan CTD case	no later than 4/30/8		04/01/07	285 request exam? query Arete
PRINT WIDGET	7.5-yr. maint. fee	08/709,785	04/05/07	286 5,963,657 10/05/1999 filed 09/09/1996
OCEAN-VOL. LIDAR	maint. 05/14 FLAG!	08/046,335	06/14/07	287 5,467,122 11/14/95 filed 04/12/93 BILL ARETE
OCEAN-VOL. LIDAR	11.5-yr. maint. fee	08/046,335	05/14/07	288 5,467,122 11/14/95 filed 04/12/93
WAMB (reserve)	7.5-yr. maint. fee	08/485,473	05/16/07	289 5,986,372 12/16/1999 filed 06/07/1995
LCD phone-entry	11.5-yr. maint. fee	08/254,384	06/12/07	290 5,479,741 12/12/95 filed 06/06/94
TABLES	3.5-yr. maint. fee	08/485,492	07/27/07	291 6,682,217 01/27/2004 filed 06/07/1995
BIOSENSOR	3.5-yr. maint. fee	09/100,526	08/17/07	292 6,692,696 02/17/2004 filed 06/18/1998
SMART BRICK	7.5-yr. maint. fee	08/739,460	10/25/07	293 6,054,846 04/25/2000 filed 10/29/1996
servicemark	Sec. 8-15 window open	76/048,662	10/29/07	294 2,641,672 10/29/2002 filed 05/09/2000
MAGE. LINK CONTIN	11.5-yr. maint. fee	08/279,851	12/11/07	295 5,524,499 06/11/96 filed 07/25/94
1-no Warning	exam request AUB	deadline 12/13/07	12/13/07	296 Kane MBR AUG nat'l stage PCT/US02/30530
PERISCOPE	11.5-yr. maint. fee	08/294,241	12/18/07	297 5,528,493 04/18/96 filed 08/22/94
WAMB	7.5-yr. maint. fee	08/487,067	01/28/08	298 6,093,989 07/25/2000 filed 06/06/1996
Japan CTD case	foreign filing due	4/30	04/14/08	299
SMART CABLE	11.5-yr. maint. fee	08/198,994	04/29/08	300 5,570,002 10/29/96 filed 02/18/94
WAMB w/TO (3.5 ACK'D)	7.5-yr. maint. fee	08/480,561	07/23/08	301 6,176,616 1/23/2001 filed 6/6/1995
"CAP" HOUSE	7.5-yr. maint. fee	08/923,213	09/13/08	302 6,199,973 03/13/2001 filed 09/03/1997
CLOG/DUST CONTROL	11.5-yr. maint. fee	08/561,788	01/08/09	303 5,645,379 07/08/97 filed 11/22/95
RACK-AND-PANEL	7.5-yr. maint. fee	09/022,850	01/17/09	304 6,261,111 07/17/2001 filed 02/12/1998
PackIT	11.5-yr. maint. fee	07/771,395	07/27/09	305 5,712,990 01/27/98 filed 10/03/91
MEDICAL LIDAR	7.5-yr. maint. fee	08/556,716	12/04/09	306 6,400,396 06/04/2002 filed 11/13/1995
CTD SENSOR	7.5-yr. maint. fee	09/562,849	12/11/09	307 5,404,204 06/11/2002 filed 05/01/2000
SUCTION BOOST	11.5-yr. maint. fee	08/946,294	04/06/10	308 5,816,156 10/06/98 filed 10/07/97
WEDGE JOINT?	11.5-yr. maint. fee	08/669,986	06/18/10	309 5,848,852 12/18/98 filed 05/17/96
RACK-AND-PANEL	7.5-yr. maint. fee	09/677,331	07/14/10	310 6,506,065 01/14/2003 filed 09/28/2000
cont.	7.5-yr. maint. fee	09/188,915	07/21/10	311 6,508,814 01/21/2003 filed 11/09/1998
GAS ANALYSER	7.5-yr. maint. fee	09/590,321	09/04/10	312 6,527,398 03/04/2003 filed 06/08/2000
CTD SENSOR div'l	7.5-yr. maint. fee	10/010,936	12/10/10	313 6,577,136 06/10/2003 filed 12/06/2001
CTD SENSOR DIV'L	7.5-yr. maint. fee	10/010,936	12/10/10	314 6,577,136 06/10/2003 filed 12/06/2001
PAD/PLENUM/PNEUMA	11.5-yr. maint. fee	08/802,628	12/29/10	315 5,918,887 06/29/1999 filed 02/19/1997
PRINT WIDGET	11.5-yr. maint. fee	08/709,785	04/05/11	316 5,963,657 10/05/1999 filed 09/09/1996
WAMB (reserve)	11.5-yr. maint. fee	08/485,473	05/16/11	317 5,986,372 11/16/1999 filed 06/07/1995
TABLES	7.5-yr. maint. fee	08/485,492	07/27/11	318 6,682,217 01/27/2004 filed 06/07/1995
BIOSENSOR	7.5-yr. maint. fee	09/100,526	08/17/11	319 6,692,696 02/17/2004 filed 06/18/1998
SMART BRICK	11.5-yr. maint. fee	08/739,460	10/25/11	320 6,054,846 04/25/2000 filed 10/29/1996
WAMB w/TO	11.5-yr. maint. fee	08/480,561	07/23/12	321 6,176,616 01/23/2001 filed 06/06/1995
"CAP" HOUSE	11.5-yr. maint. fee	08/923,213	09/13/12	322 6,199,973 03/13/2001 filed 09/03/1997
RACK-AND-PANEL	11.5-yr. maint. fee	09/022,850	01/17/13	323 6,261,111 07/17/2001 filed 02/12/1998
MEDICAL LIDAR	11.5-yr. maint. fee	08/556,716	12/04/13	324 6,400,396 06/04/2002 filed 11/13/1995
CTD SENSOR	11.5-yr. maint. fee	09/562,849	12/11/13	325 5,404,204 06/11/2002 filed 05/01/2000
RACK-AND-PANEL	11.5-yr. maint. fee	09/677,331	07/14/14	326 6,506,065 01/14/2003 filed 09/28/2000
cont.	11.5-yr. maint. fee	09/188,915	07/21/14	327 6,508,814 01/21/2003 filed 11/09/1998
GAS ANALYSER	11.5-yr. maint. fee	09/590,321	09/04/14	328 6,527,398 03/04/2003 filed 06/08/2000
CTD SENSOR div'l	11.5-yr. maint. fee	10/010,936	12/10/14	329 6,577,136 06/10/2003 filed 12/06/2001
CTD SENSOR DIV'L	11.5-yr. maint. fee	10/010,936	12/10/14	330 6,577,136 06/10/2003 filed 12/06/2001
TABLES	11.5-yr. maint. fee	08/485,492	07/27/15	331 6,682,217 01/27/2004 filed 06/07/1995
BIOSENSOR	11.5-yr. maint. fee	09/100,526	08/17/15	332 6,692,696 02/17/2004 filed 06/18/1998

**Another section heading, internal deadlines  
over a month in the future**

*These deadlines are (see definitions above) type P				
KJUN-03	HEARTWARE	renewal 10/31 FLAG!	74/356,218	06/02/05
1PER-		Bill Brooks		08/08/05
1PER-	PL	N2 Infl's, KCT/PB/GS		08/08/05
1BUS-	DO STATEMENTS			08/25/05
1BUS-	add sub-Js	End/debug acctg. syst		08/25/05
1BUS-trust		Revised fee K.		08/25/05
1BUS-	PMJ tv/list-cal.	6 calendar new filings CHECK ALL CASES!		08/25/05
XAA -42		OA 09/29 WARNING!		08/30/05
XAA -50		OA 10/06 WARNING!		09/08/05
ASSI-07	LCD Disp CONTIN'	maint. 10/12 FLAG!	07/705,146	09/12/05
1BUS-	4 maint 3.5-yr 2days	EW statthor/laeuor/for 'ns7/1-no.ext.		09/14/05
XAA -20	OA reply QUE!			10/08/05
XAA -38		for'ns 12/27 FLAG!		10/28/05
XAA -09	MEDICAL LIDAR	maint. 12/04 FLAG!	08/556,716	11/04/05
XAA -69	CTD SENSOR	maint. 12/11 FLAG!	09/562,849	11/11/05
XNCA-16	ELECTRON. KEY UTIL	maint. 12/21 FLAG!	09/902,681	11/21/05
XHP2-80	60 day FLAG!	foreign filing		11/25/05
XHP2-79	60 day FLAG!	foreign filing		11/25/05
XHP2-80		for'ns 01/26 FLAG!		11/27/05
XNOC-	ck w/Mocure about	\$1000 balance on	3/22 bill	12/05/05
XAA -61		for'ns 02/08 FLAG!		12/10/05
1DBJ-07	MAGNETIC LINKS	maint. 01/26 FLAG!	07/982,471	12/27/05
1ITC-03	PackIT	maint. 01/27 FLAG!	07/771,395	12/28/05
XNOC-07	AIRLESS w/design	Sec. 8-15 03/15 FLAG!	75/692,043	01/14/06
XNOC-06	AIR & LESS	Sec. 8-15 03/15 FLAG!	75/692,043	01/14/06
1BUS-trust	TOU/TA: svc chq?	Set up mo'ly prtout. by client, "CLT. TR.		01/31/06
XHP2-08	SUCTION BOOST	maint. 04/06 FLAG!	08/946,294	03/07/06
XAA -09	MEDICAL LIDAR	maint. 06/04 FLAG!	08/556,716	05/09/06
333 1,921,908		10/31/95 filed 02/05/93		
334 fw/Rob, Mnt, Eric & Lois re WLB				
335 Q fractional of time for res.maint. & 55 def				
336				
337 >mak'g blank: corn., no prt-bd logedt status				
338 add auth'n for monthly wdl. after "n" days.				
339 Kullli 60 (New system should check from QAS!)				
340 10/290,108 FLUORESCENCE-QUE!				
341 10/155,745 MASC				
342 5,282,955 10/12/93 filed 05/24/91				
343 still says "30-day" instead of inserting date				
344				
345 11/023,299 SHIPFIELD cont				
346 5,400,396 06/04/2002 filed 11/13/1995				
347 6,404,204 06/11/2002 filed 05/01/2000				
348 5,322,992 06/21/94 filed 06/22/92				
349 11/043,772 LATENT PRINTING				
350 11/043,587 MEAN-FIELD, HALFTO				
351 11/043,722 LATENT LJ PRINT'G				
352				
353 11/053,746 LIDAR follow-on				
354 5,331,861 07/26/94 filed 09/28/92				
355 5,712,990 01/27/98 filed 10/03/91				
356 2,329,541 03/15/2000 filed 04/26/1999				
357 2,329,542 07/15/2000 filed 04/26/1999				
358 LEDGER, racoon. BY CLT., & study handbook.				
359 5,816,156 10/06/98 filed 10/07/97				
360 6,400,396 06/04/2002 filed 11/13/1995				

**Detail  
deadline  
entries  
bracketing  
Sept. 15**

# KEY again, for second (August 16) printout

A. STATUTORY deadlines within 30 days	B. EXTENDABLE deadlines within 30 days	C. Internal deadlines within 7 days
D. STATUTORY deadlines over 30 days away	E. EXTENDABLE deadlines over 30 days away	F. Internal deadlines over 7 days away

M'd.

either

home

08/16/05

07:12

DATE of SECOND printout

8/19/05

x AAA-03

refinements

hand-markings to add in next update

These deadlines are (see definitions above) type A

XMP-41	OA filed 5/5	STAT. correction of inventorship	08/23/05	1 09/019,260 MEDIA-POINT CONDENS'N
XAA-24	status?	Mat'l/Reg'l filing	08/11/05	5 Kane PCT OPTICAL SENSOR
XMP-23	on final? APPEAL	OA 6-mo. STAT.	08/14/05	6 09/775,771 TRUE 230 PIPE

These deadlines are (see definitions above) type B

Section headings stating entry types A or B

XMP-31	JP on com's fw-5/26 2nd OPT to Grel	due 8/1 60002639-2JP	07/25/05	7 Lain MULTILEVEL HT-MP 09/642,416
XMP-31	f/v 2nd OPT to Grel	JP on due 8/1	07/26/05	8 09/642,416 Lain MULTILEVEL HT-MP
XMP-75	Gary Small	request EPOA response 60/960,030-3	08/18/05	9 Done???
00 -RPO	request RPO's	127 s14 s81 to Bill HP	08/17/05	11 128 130 131 146 148 152 157 161 RPO counters
XMP-46	Status?	fw/189u pd.1/31/05	08/21/05	12 09/845,042 Vega AEROSOL CONTROL
XMP-28	PL fw/Puruya asst.		08/21/05	13 Clust INTRAPAD 60990047 (JP)
XMP-28	Warning OA due:	w/1 no ext. abs drew claim rejections	08/21/05	14 10/265,277 CIRCULATING MICRO
XMP-28	Warning OA due:	abs drew claim rejections	08/21/05	15 10/265,277 CIRCULATING MICRO
XMP-28	check status	EPOA response 60/960,002	08/21/05	16 VARIABLE ADVANCE Sapeta
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	17 10/265,277 CIRCULATING MICRO
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	18 10/265,277 CIRCULATING MICRO
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	19 10/265,277 CIRCULATING MICRO
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	20 10/265,277 CIRCULATING MICRO
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	21 LIGAR Independent ap or CIP
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	22 09/017,406 INK PRESSURE
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	23 10/208,392 RACK AND PANEL
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	24 11/023,299 SHIPSHIELD cont
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	25 2,329,841 03/18/2000 filed 04/26/1999
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	26 3,329,842 03/15/2000 filed 04/26/1999
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	27 09/012,406 INK PRESSURE
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	28 09/390,487 SHIPSHIELD JUMBO - Also a491
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	29 09/010,207 MEDIA-IND CALIB
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	30 09/010,207 MEDIA-IND CALIB
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	31 11/131,894 CATS-SYS/MER
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	32 10/236,612 WHITE-DROP MASK
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	33 10/994,766 PROGRESSIVE MASK
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	34 10/265,278 Kane MICRODUMP
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	35 Kane CIRCULATING MICRODUMP 10/265,277
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	36 Potter PERISCOPE
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	37
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	38 MultispecPol (MS/MP) McLean
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	39 10/265,278 Kane MICRODUMP
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	40
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	41
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	42 ACTIVE GND.W/O'VOLING. PROT'N (Ty Williams)
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	43 10/133,742 SMART BRICK Re.
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	44 09/010,207 Solar MEDIA-IND CALIB 60990045-1
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	45 Kane NO GINBALS
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	46
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	47 Stanley Home Automation
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	48 GPS/CC: study status
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	49 Aral-ane COMPOS. COGESTRIP 60960001-3 (EPO)
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	50 09/707,829 GRAY NEUTRALITY
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	51 Orser FLUORESCENCE-QUENCHING NITRATE
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	52 fw/Bob, Mimi, Eric & Lois re MLE
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	53 Q fractional of time for res.maint. & 55 def
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	54 09/874,824 ABR
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	55 09/642,417 Gil DO
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	56 Chase Reset on 8/25 Call if not Reset
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	57 Kane PST extension
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	58 10/290,108 NITRATE SENSOR
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	59 10/373,219 Garcia FAST MASHBUILDER ?????
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	60
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	61 PCT/US01/39535 Kane CATS-SYS/MER (a44 85 86)
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	62 10/994,766 PROGRESSIVE MASK
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	63 09/845,042 Vega AEROSOL CONTROL
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	64 60/030,806-1 PROGRESSIVE MASK
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	65 Kane/Salyem QO REFINEMENTS
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	66 11/023,299 SHIPSHIELD cont
XMP-28	OA due w/1-no ext.	abstract, drawings claim rejections	08/21/05	67 60032470-2 Such RP WORKFLOW 10/124,467

These deadlines  
all before Sept. 15 (extendable)

~first page of SECOND printout~

**More extendable deadlines  
within one month**

**RECORD number listing continues**

79-79	2v/mis'g pts.	filed 5/6 Status?	09/07/05	68 11/043,687 daPana NEAR-FIELD HALFTONE
KHP2-57	if on final, APPEAL!	2-mo. ext & APPEAL?	09/07/05	69 09/946,024 CLC AUTOTRIGGER
KHP2-89	Mail patents to MP	or Arete	09/08/05	70 10/349,063 Sequence Constrnt RFD
KAA -50	1-mo Warning OA due	10/8 claim rejection drawings	09/08/05	71 10/155,745 MASC
KAA -42	OA reply filed 5/9	restriction requir't Status?	09/09/05	72 10/290,108 Orser NITRATE SENSOR
KAA -43	stdy HERAC TM report	Get back to DaveKane w/assessment	09/09/05	73 CATS EYE TRADEMARK
KAA -81	IDS	app filed 6/13/05	09/09/05	74 11/151,594 Kane OPTICAL SYSTEM
KHP2-31		OA reply	09/10/05	75 09/642,616 MULTILEVEL HT-3D
KAA -33	incomp'te reply fees status		09/11/05	76 11/015,285 ETIL KENS
KAA -09	BILL ARETE 3.5 yr	maint fees due 12/4 6,400,396 iss 6/4/02	09/11/05	77 08/356,716 filed 11/13/95
KAA -60	BILL ARETE 3.5 yr	maint fee due 12/11 6,404,304 (6/11/02)	09/11/05	78 09/751,849 filed 9/1/00
KSCa-50	1-mo Warning!	regular-sp 10/3 FILING! -- Needs CLAIMS!	09/12/05	79 60/615,670 THREADED QUIN-DISCONNECT
KHP2-26	Status?	appeal brief	09/12/05	80 09/689,610 Donovan MODIFIED MATRIX
KAAA-02	2-mo reply	final rejection Avisianis	09/12/05	81 09/886,959 DISTARS DRAFT OA response
KAA -25	Missing Parts	OA 10/12 WARNING! fees & dec/pwr	09/12/05	82 11/151,645 Patser WAVELENGTH CONVERTER
KAA -13	2-mo reply	final rejection	09/13/05	83 10/013,320 Farrugie CTD cont'
KHP2-32	Status?OA filed 6/14	Pl. resolved Fig. problem	09/14/05	84 09/773,771 Gil TEUS 2bo PIPE 60003198-1
IRUS-	???	EW calendar: no ext for forums anymore!	09/14/05	85
KHP2-40	2-mo reply to Final	rejection DUS 9/28 60019892-1	09/14/05	86 09/874,524 Lammene ARE
KAA -23	status?	e93 e94 e95 e96 Nat/Mex phase	09/15/05	87 Petlar PCY Wavelength Converter filed 7/14
KAA -54	status? US/GB cases	AUS resp. due 2/19/6 AUS pat. 2001282850	09/15/05	88 Gieckler MULTI SLIT LIDAR

**Extendable  
Sept. 15  
deadlines**

\*\* These deadlines are (see definitions above) type C

**Section heading for  
internal deadlines**

**Blank record (harmless),  
made inadvertently**

Another section heading: deadlines over a month away, not extendable

RECORD-number sequence continues

### DEADLINE dates

Deadlines just after Sept. 15

\*\* These deadlines are (see definitions above) type D

KAA -37	on final? APPEAL!	OA 6-mo. STAT.	09/16/05	50 11/023,043	SHIPSHIELD div'n'l
KMPZ-42	on final? APPEAL!	OA 6-mo. STAT.	09/23/05	51 09/919,207	MEDIA-INT CALBR
18US-	DO STATEMENTS		09/25/05	52	
KMCA-50		file regular ap --in U.S., PCT &/or for'n	10/03/05	53	based on 40/615,470 THREADED QUICK-DISCONNECT
KMPZ-57	on final? APPEAL!	OA 6-mo. STAT.	10/05/05	54 11/023,299	SHIPSHIELD cont
KMPZ-26	filed RCE IDS amend	on 4/12 Status?	10/07/05	55 09/946,024	CLC AUTOTRIGGER
ASB1-07	LCD Disp CONTIN'N	12th-yr. maint. fee	10/12/05	56 09/698,610	Donovan MODIFIED MATRIX
KAA -78	3mo Warning! prov'l	expires 1/13/06	10/12/05	57 5,252,058	10/12/93 filed 05/24/91
KAA -30	1 mo Warning! prov'l	expires 1/13/06	10/13/05	58 60/643,867	Kane QUAD CELL MBR
KAA -19	on final? APPEAL!	OA 6-mo. STAT.	10/13/05	59 60/643,869	Kane AMBS WAVEFRONT SENSOR
LTDR-01	HEARTWARE netw/rieger	10-year renewal	10/21/05	100 10/265,277	CIRCULATING MICRO
KMPZ-30	on final? APPEAL!	OA 6-mo. STAT.	10/31/05	101 1,931,905	10/31/98 filed 02/05/97
KAA -37	OA filed 5/16	STATUS?	11/09/05	102 09/642,417	Gil GD
KMPZ-48	on final? APPEAL!	OA 6-mo. STAT.	11/16/05	103 11/023,042	SHIPSHIELD div'n'l
KMPZ-28	on final? APPEAL!	OA 6-mo. STAT.	11/19/05	104 09/945,492	Kiffel CC
KAA -37	1-mo Warning!	foreign filing	11/21/05	105 09/642,418	INTRAPAD
KMPZ-31	on final? APPEAL!	OA 6-mo. STAT.	12/06/05	106 11/023,042	U.S. SHIPSHIELD "jumbo" divisional
KAA -28	1mo Warning! prov'l	expires 1/13/06	12/10/05	107 09/642,416	MULTILEVEL UT-GP
KAA -30	1'mo WARNING! prov'l	expires 1/13/06	12/13/05	108 60/643,867	Kane QUAD CELL MBR
KMPZ-40		OA 6-mo. STAT.	12/13/05	109 60/643,869	Kane AMBS WAVEFRONT SENSOR
KMPZ-80	1mo FIAG!	foreign filing due	12/17/05	110 09/874,524	Lammens ABR
KAA -38		foreign filing	12/25/04	111 11/043,773	LATENT PRINTING
KAA -37		foreign filing	12/27/05	112 11/023,299	SHIPSHIELD cont
KAA -42	on final? APPEAL!	OA 6-mo. STAT.	12/27/05	113 11/023,042	SHIPSHIELD div'n'l
KAA -30	on final? APPEAL!	OA 6-mo. STAT.	12/29/05	114 10/290,108	NITRATE SENSOR
KAA -38	FILE REG APPLIC'N	prov'l expires 1/13	01/08/06	115 10/155,745	MASC
KAA -30	FILE REG APPLIC'N	prov'l expires 1/13	01/12/06	116 60/643,867	Kane QUAD CELL MBR
KAA -83	on final? APPEAL!	OA 6-mo. STAT.	01/13/06	117 60/643,869	Kane AMBS WAVEFRONT SENSOR
KMPZ-80	foreign filing due		01/22/06	118 11/151,594	CATS EYE/MBR
KMPZ-79	foreign filing due		01/26/06	119 11/043,722	LATENT LJ PRINT'G
AITC-03	PACKIT	8th-yr. maint. fee	01/26/06	120 11/043,397	dePena MEAN-FIELD HALFTONE
KMPZ-40	on final? APPEAL!	OA 6-mo. STAT.	01/27/06	121 5,712,990	01/27/98 filed 10/02/91
KAA -24	on final? APPEAL!	OA 6-mo. STAT.	01/28/06	122 09/874,524	ABR
KAA -54	AUS response DUF		02/12/06	123 11/181,665	Petzer WAVELENGTH CONVERTER
KAA -61		foreign filing	02/19/06	124 Gleckler MULTI SLIT LIDAR	
KMCC-07	AIRLESS w/design	Sec. 8-15 DEADLINE	02/23/06	125 11/053,746	LIDAR follow-on
KMCC-06	AIR & LESS	Sec. 8-15 DEADLINE	03/15/06	126 2,329,541	03/15/2000 filed 04/26/1999
KAA -09	MEDICAL LIDAR	4th-year maint. fee	03/15/06	127 2,329,542	03/15/2000 filed 04/26/1999
KAA -69	CTD SENSOR	4th-year maint. fee	06/04/06	128 6,400,396	06/04/2002 filed 11/13/1995
KAA -83		foreign filing	06/11/06	129 6,404,204	06/11/2002 filed 05/01/2000
KMCA-16	ELECTRON KEY UTIL	12th-yr. maint. fee	06/13/06	130 11/151,594	CATS EYE/MBR
KAA -95	Warning! deadline to	enter CAN Mat. phase	06/21/06	131 5,122,992	06/21/94 filed 06/22/92
LDNJ-07	MAGNETIC LINKS	12th-yr. maint. fee	07/15/06	132 PCT/US0407000949	Petzer WAVELENGTH CONVERTER
KAA -67	f/v new provisional	filed 5/11/05	07/26/06	133 5,331,861	07/26/94 filed 09/28/92
KMPZ-08	SUCTION BOOST	8th-yr. maint. fee	08/11/06	134 Kane PROJECTOR	
EVSH-18	WEDGE JOINT	8th-yr. maint. fee	10/06/06	135 5,816,156	10/06/98 filed 10/07/97
KMCA-42	RACK-AND-PANEL	4th-year maint. fee	12/15/06	136 5,848,852	12/15/98 filed 03/17/96
KMPZ-03	cont.	4th-year maint. fee	01/14/07	137 6,506,065	01/14/2003 filed 09/28/2000
KREC-02	KING	10-year renewal	01/21/07	138 6,508,814	01/21/2003 filed 11/09/1998
KREC-03	KING and design	10-year renewal	02/18/07	139 2,038,593	02/18/97 filed 01/23/96
KAA -55	GAS ANALYSER	4th-year maint. fee	02/18/07	140 2,038,592	02/18/97 filed 01/23/96
KAA -11	CTD SENSOR DIV'L	4th-year maint. fee	03/04/07	141 6,527,398	03/04/2003 filed 06/08/2000
KAA -15	CTD SENSOR DIV'L	4th-year maint. fee	06/10/07	142 6,577,134	06/10/2003 filed 12/04/2001
KRM -13	PAD/PLENUM/PNEUMA	8th-yr. maint. fee	06/10/07	143 6,577,134	06/10/2003 filed 12/06/2001
KAA -19	PRINT MIDGET	8th-yr. maint. fee	08/29/07	144 5,015,807	06/29/1999 filed 02/19/1997
KAA -05	OCEAN-VOL. LIDAR	12th-yr. maint. fee	10/05/07	145 5,963,657	10/05/1999 filed 09/09/1996
LDNJ-20	WAMS (reserve)	8th-yr. maint. fee	11/14/07	146 5,467,122	11/14/95 filed 04/12/93
ASB1-09	LCD/phone-entry	12th-yr. maint. fee	11/16/07	147 5,986,172	11/16/1999 filed 06/07/1995
KAA -86	EXAM Request	DEADLINE AUS	12/12/07	148 5,475,741	12/12/93 filed 06/06/94
LDNJ-19	TABLES	4th-year maint. fee	12/13/07	149	
KAA -31	BIOSENSOR	4th-year maint. fee	01/27/08	150 6,642,317	01/27/2004 filed 06/07/1995
KMCA-38	SMART BRICK	4th-year maint. fee	02/17/08	151 6,692,696	02/17/2004 filed 06/18/1998
KAA -06	Japan CTD case	foreign filing DUE	04/25/08	152 6,054,866	04/25/2000 filed 10/30/1996
KREC-07	MEXICO EXPRESSV/d	10-year renewal	04/20/08	153 01/862,74	CTD SENSOR
LDNJ-14	MAGN. LINK COMFIN	12th-yr. maint. fee	08/05/08	154 2,154,872	08/05/98 filed 03/11/97
KAA -18	PERISCOPE	12th-yr. maint. fee	06/11/08	155 3,824,499	06/11/96 filed 07/25/94
LDNJ-02	WARM	8th-yr. maint. fee	06/18/08	156 5,528,493	06/18/96 filed 08/22/84
KREC-06	MEXICO	10-year renewal	07/25/08	157 6,093,989	07/25/2000 filed 06/06/1995
KMCA-30	SMART CARLLE	12th-yr. maint. fee	08/15/08	158 2,189,968	08/15/1998 filed 02/11/1997
KAA -32	servicemark	Sec. 8-15 DEADLINE	10/29/08	159 5,570,002	10/29/98 filed 02/18/94
KMIL-04		renewal DEADLINE	10/29/08	160 2,641,672	10/29/2002 filed 05/09/2000
LDNJ-17	WAMS w/TO	8th-yr. maint. fee	11/01/08	161 "DAR COLLECTION" reg	1,510,706 11/1/98
			01/23/09	162 6,176,616	01/23/2001 filed 06/06/1995

Nonextendable deadlines over a month away, trailing to 2009 (end of report omitted)

# Again, KEY to entry types stated in section headings

A. STATUTORY deadlines within 30 days B. EXTENDABLE deadlines within 30 days C. Internal deadlines within 7 days  
D. STATUTORY deadlines over 30 days away E. EXTENDABLE deadlines over 30 days away F. Internal deadlines over 7 days away

Record numbers  
starting 3rd printout

DATE of 3rd printout

entry type	entry description	entry date	entry number
1	886	09/11/05	4 Kane PCT OPTICAL SENSOR
2	09/495,886	09/11/05	5 09/775,771 TRUE 25C PIPE
3	09/919,207	09/11/05	6 11/023,043 SHIPSHIELD div'n1
4	09/919,207	09/11/05	7 09/919,207 MEDIA-IND CALBR

Section headings, stating entry types (A or B)

entry type	entry description	entry date	entry number
1	886	09/11/05	4 Kane PCT OPTICAL SENSOR
2	09/495,886	09/11/05	5 09/775,771 TRUE 25C PIPE
3	09/919,207	09/11/05	6 11/023,043 SHIPSHIELD div'n1
4	09/919,207	09/11/05	7 09/919,207 MEDIA-IND CALBR

~first page of third printout~  
(August 25)

~second page of third printout (August 25)~

Sequence of deadline DATES and RECORD numbers continues  
from first page of printout

4-39	Mail patents to MP or Arete	09/08/05	68 10/149,063 Sequence Constraint RPQ
AA -50	1-mo Warning OA due 10/8 claim rejection drawings	09/08/05	69 10/155,745 MASC
AA -42	OA reply filed 8/9 restriction requir't Status? BILL ARETE	09/09/05	70 10/290,108 Orser NITRATE SENSOR
AA -62	stdy. MERAC TM report Get back to Dave Kane w/assessment	09/09/05	71 CATS EYE TRADEMARK
AA -63	IDS app filed 6/13/05	09/09/05	72 11/151,594 Kane OPTICAL SYSTEM
AA -33	incomp'te reply fees status	09/10/05	73 09/642,416 MULTILEVEL HT-AP
AA -09	BILL ARETE 3.5 yr maint fees due 12/4 6,400,396 iss 6/4/03	09/11/05	74 11/015,285 STIL MEMS
AA -69	BILL ARETE 3.6 yr maint fee due 12/11 6,404,204 (6/11/02)	09/11/05	75 09/854,716 filed 11/13/05 — DO- \$450. - 12/18
XNCo-50	1-mo Warning! regular-op 10/3 FLAG! -- Needs CLAIMS!	09/12/05	76 09/751,849 filed 5/1/00
XNCo-26	Status? appeal brief	09/12/05	77 60/615,670 THREADED QUIK-DISCONNECT
XAAA-02	2-mo reply final rejection Avisienis	09/12/05	78 09/689,610 Donovan MODIFIED MATRIX
AA -93	Missing Parts OA 10/12 WARNING! fees & dec/pwr	09/12/05	79 09/886,959 DISTARS DRAFT OA response
AA -13	2-mo reply Final rejection	09/13/05	80 11/181,665 Petser WAVELENGTH CONVERTER
MPR-33	Status?OA filed 6/16 PL resolved Fig. problem	09/14/05	81 10/013,320 Farroquia CTD cont'
IBUS-	??? RW calendar: no ext for formalis anymore!	09/14/05	82 09/775,771 Gil TRUE 250 PIPE 60003198-1
MPR-40	2-mo reply to final rejection DUE 9/28 60019692-1	09/14/05	83
MPR-75	Gary Small request EPOA response 60/960,030-3	09/15/05	84 09/874,524 Lammens ARR
AA -25	Status?on corrected doc# 833 894 895 896 Nat/Reg phase	09/15/05	85 Done???
AA -54	Status? US/GB cases AUS resp. due 2/19/6 AUS pat. 2001262850	09/15/05	86 Petser PCT Wavelength Converter filed 7/14
MPR-10	Draft to Murville 2-mo reply to final due 9/28 60019692	09/15/05	87 Gieckler MULTI SLIT LIDAR
AA -37	incomp'te reply fees filed 7/16 w/2mo ext STATUS	09/16/05	88 09/874,524 Lammens ARR
OO -HPQ	request RPQ's 837 834 882 to Bill HP	09/17/05	89 11/022,062 Lubard SHIPSHIELD divisional
AA -54	fw/status IDS filed 3/18 Arete billed PD	09/18/05	90 828 830 831 846 848 852 857 861 RPQ counters
IBUS-	DO STATEMENTS	09/19/05	91 Gieckler U. K. plural-elit STIL BILL ARETE
IBUS-	make sure all new fi lings have fw/ calan dard	09/20/05	92 09/945,492 Riffel CC
BUS -	DO STATEMENTS	09/21/05	93
AA -18	if on final, APPEAL! 2-mo.ext & APPEAL?!	09/21/05	94
MPR-28	if on final, APPEAL! 2-mo.ext & APPEAL?!	09/21/05	95
AA -63	OA reply	09/22/05	96 10/245,277 CIRCULATING MICRO
AA -50	2-wk Warn!OA due10/8 claim reject. draw'g cited references	09/23/05	97 09/642,416 INTRAPAD
IBUS-	add sub-Js End/debug acctg.syst	09/25/05	98 11/151,594 CATS EYE/MER
IBUS-trust	Revised fee K.	09/25/05	99 10/155,745 MASC
IBUS-	PMI fw/list-cal. & calendar new files CHECK ALL CASHES!	09/25/05	
AA -42	DO OA-09/20 WARNING!	09/30/05	

TS 1853  
\$450. - 12/18  
450. - 12/18  
TS 1854

Sept. 15  
deadlines

Section heading, internal deadlines within 7 days

\* These deadlines are (see definitions above) type C

IDS Rec. amnt.  
hand entries  
for use in next update

# Section heading, nonextendable deadlines over 1 month away

## Deadline dates

\*\* These deadlines are (see definitions above) type D

100US-	DO STATEMENTS		09/25/05	107	
KPCA-30	file regular ap --in U.S., PCT 4/or for'n		10/03/05	108 based on 60/610,670 THREADED QUICK-DISCONNECT	
KAA -38	on final? APPEAL:	QA 6-mo. STAT.	10/05/05	109 11/023,299 SHIPSHIELD cont	
KMP2-57	on final? APPEAL:	QA 6-mo. STAT.	10/07/05	110 09/946,024 CLC AUTOTRIGGER	
KMP2-26	filed RCE IDG amend	on 8/12 Status?	10/12/05	111 09/688,610 Donovan MODIFIED MATRIX	
ASST-07	LCD Disp CONTIN'N	12th-yr. maint. fee	07/705,346 tall RMAI	10/12/05	112 6,252,955 10/12/93 filed 03/24/01
KAA -28	1mo Warning! prov'l	expires 1/13/06	10/13/05	113 60/643,867 Kane QUAD CELL MBR	
KAA -30	1 mo Warning! prov'l	expires 1/13/06	10/13/05	114 60/643,869 Kane ANDS WAVEFRONT SENSOR	
KAA -19	on final? APPEAL:	QA 6-mo. STAT.	10/21/05	115 10/268,277 CIRCULATING MICRO	
KJGU-03	HEARTWARE askKriegler	10-year renewal	74/356,218	10/31/05	116 1,931,905 10/31/95 filed 02/05/93
KMP2-30	on final? APPEAL:	QA 6-mo. STAT.	21/09/05	117 09/642,417 G11 DD	
VAA -37	QA filed 5/16	STATUS?	11/16/05	118 11/023,042 SHIPSHIELD div'n1	
KMP2-48	on final? APPEAL:	QA 6-mo. STAT.	11/19/05	119 09/945,492 Eiffel GC	
KMP2-28	on final? APPEAL:	QA 6-mo. STAT.	11/21/05	120 09/642,418 INTRAPAD	
KAA -37	1-mo Warning	foreign filing	due 12/27	12/06/05	121 11/023,042 U.S. SHIPSHIELD "turbo" divisional
KMP2-31	on final? APPEAL:	QA 6-mo. STAT.	12/10/05	122 09/642,416 MULTILEVEL HT+SP	
KAA -28	1mo Warning! prov'l	expires 1/13/06	12/13/05	123 60/643,867 Kane QUAD CELL MBR	
KAA -30	1 mo WARNING! prov'l	expires 1/13/06	12/13/05	124 60/643,869 Kane ANDS WAVEFRONT SENSOR	
KMP2-40	QA 6-mo. STAT.	foreign filing due	60019492-1	12/17/05	125 09/674,524 Lemans ABR
KMP2-80	1mo FLAG!	foreign filing due	filing date 12/25/04	12/26/05	126 11/043,772 LATENT PRINTING
KAA -38		foreign filing	12/27/05	12/27/05	127 11/023,299 SHIPSHIELD cont
KAA -37		foreign filing	12/27/05	12/27/05	128 11/023,042 SHIPSHIELD div'n1
KAA -42	on final? APPEAL:	QA 6-mo. STAT.	12/29/05	12/29/05	129 10/290,108 NITRATE SENSOR
KAA -50	on final? APPEAL:	QA 6-mo. STAT.	01/08/06	130 10/155,745 NISC	
KAA -28	FILE REG APPLIC'N	prov'l expires 1/13	01/12/06	131 60/643,867 Kane QUAD CELL MBR	
KAA -30	FILE REG APPLIC'N	prov'l expires 1/13	01/12/06	132 60/643,869 Kane ANDS WAVEFRONT SENSOR	
KAA -83	on final? APPEAL:	QA 6-mo. STAT.	01/22/06	133 11/151,594 CATS EYE/MBR	
KMP2-80	foreign filing due		01/26/06	134 11/043,722 LATENT LJ PRINT'G	
KMP2-79	foreign filing due		200300565179	01/26/06	135 11/043,587 dePena HEAM-FIELD HALFTONE
BITC-03	Peckit	8th-yr. maint. fee	07/771,395 tall RMAI	01/27/06	136 5,712,930 01/27/98 filed 10/03/91
KMP2-40	on final? APPEAL:	QA 6-mo. STAT.	01/28/06	137 09/674,524 ABR	
KAA -25	on final? APPEAL:	QA 6-mo. STAT.	02/12/06	138 11/181,665 Potser WAVELENGTH CONVERTER	
KAA -54	AUS response DUE	AUS pat. 2001282850	02/19/06	139 Gluckler MULTI SLIT LIDAR	
KAA -61		foreign filing	02/23/06	140 11/053,746 LIDAR follow-on	
KMCC-07	AIRLESS v/design	Sec.8-15 DEADLINE	75/692,042	03/15/06	141 2,329,541 03/15/2000 filed 04/26/1999
KMCC-06	AIR 4 LESS	Sec.8-15 DEADLINE	75/692,043	03/15/06	142 2,329,542 03/15/2000 filed 04/26/1999
KAA -09	MEDICAL LIDAR	4th-year maint. fee	09/556,716	06/04/06	143 6,400,396 06/04/2002 filed 11/12/1995
KAA -49	CTD SENSOR	4th-year maint. fee	09/562,849	06/11/06	144 6,404,204 06/11/2002 filed 05/01/2000
KAA -63		foreign filing	06/13/06	145 11/151,594 CATS EYE/MBR	
KMCA-18	ELECTRON KEY UPFL	12th-yr. maint. fee	09/902,681	06/21/06	146 6,322,992 06/21/94 filed 06/22/92
KAA -93	Warning! Deadline to	enter CAN Mat. phase based on 60/440,203	07/15/06	147 PCT/US047000949 Potser WAVELENGTH CONVERTER	
IDBJ-07	MAGNETIC LINKS	12th-yr. maint. fee	07/952,471	07/26/06	148 5,331,861 07/26/94 filed 09/28/92
KAA -67	f/v new provisional	filed 5/11/05	08/11/06	149 Kane PROJECTOR	
KMP2-08	SUCTION BOOST	8th-yr. maint. fee	08/946,294	10/06/06	150 5,816,156 10/06/98 filed 10/07/97
TVSH-18	WEDGE JOINT	8th-yr. maint. fee	08/649,986	12/15/06	151 5,848,852 12/15/98 filed 05/17/96
KMCA-42	RACK-AND-PANEL	4th-year maint. fee	09/677,321	01/14/07	152 6,506,065 01/14/2003 filed 09/28/2000
KMP2-03	cont.	4th-year maint. fee	09/188,915	01/21/07	153 6,508,814 01/21/2003 filed 11/09/1998
KKEC-02	KING	10-year renewal	75/047,143	02/18/07	154 2,038,593 02/18/97 filed 01/23/96
KKEC-03	KING and design	10-year renewal	75/047,142	02/18/07	155 2,038,593 02/18/97 filed 01/23/96
KAA -55	GAS ANALYZER	4th-year maint. fee	09/590,321	03/04/07	156 6,527,398 03/04/2003 filed 06/08/2000
KAA -11	CTD SENSOR div'l	4th-year maint. fee	10/010,936	06/10/07	157 6,577,134 06/10/2003 filed 12/04/2001
KAA -11	CTD SENSOR DIV'L	4th-year maint. fee	10/010,936	06/10/07	158 6,577,134 06/10/2003 filed 12/06/2001
KRM -13	PAD/PLENUM/PNEUMA	8th-yr. maint. fee	08/802,628	06/29/07	159 6,915,887 06/29/1999 filed 03/19/1997
KAA -18	PRINT WIDGET	8th-yr. maint. fee	08/709,785	10/05/07	160 5,963,657 10/05/1999 filed 09/09/1996
KAA -05	OCEAN-VOL. LIDAR	12th-yr. maint. fee	08/046,335	11/14/07	161 5,467,132 11/14/95 filed 04/12/93
IDBJ-20	WABE (reserve)	8th-yr. maint. fee	08/485,473	11/16/07	162 5,986,372 11/16/1999 filed 06/07/1995
ASST-09	LCD/phone-entry	12th-yr. maint. fee	08/254,394	12/12/07	163 5,475,741 12/12/95 filed 06/04/94
KAA -86	Exam Request	DEADLINE AUS		12/13/07	164
IDBJ-19	TABLES	4th-year maint. fee	08/485,492	01/27/08	165 6,682,217 01/27/2004 filed 06/07/1995
KAA -31	BIOSENSOR	4th-year maint. fee	09/100,526	02/17/08	166 6,492,606 02/17/2004 filed 04/18/1998
KMCA-38	SMART BRICK	8th-yr. maint. fee	08/739,460	04/25/08	167 6,054,846 04/25/2000 filed 10/20/1996
KAA -04	Japan CTD case	foreign filing DUE		04/30/08	168 01/863,74 CTD SENSOR
KKEC-07	MEXICO EXPRESS w/d	10-year renewal	75/267,217	05/05/08	169 2,154,873 05/05/98 filed 03/11/97
IDBJ-14	MAGN. LINK CONTIN	12th-yr. maint. fee	08/279,551	06/11/08	170 5,524,499 06/11/94 filed 07/25/94
KAA -02	PERISCOPE	12th-yr. maint. fee	08/294,241	06/18/08	171 5,528,493 06/18/96 filed 08/22/94
IDBJ-16	WABE	8th-yr. maint. fee	08/487,067	07/25/08	172 6,093,989 07/25/2000 filed 06/06/1995
KKEC-06	MEXICO	10-year renewal	75/250,732	09/15/08	173 2,188,968 09/15/1998 filed 02/11/1997
KMCA-30	SMART CABLE	12th-yr. maint. fee	08/198,994	10/29/08	174 5,670,002 10/29/94 filed 02/18/94
KAA -32	servicemark	Sec.8-15 DEADLINE	76/045,652	10/29/08	175 2,641,672 10/29/2002 filed 05/09/2000
KTUI-04		renewal DEADLINE		11/01/08	176 "DAR COLLECTION" reg 1,810,706 11/1/88
IDBJ-17	WABE w/TO	8th-yr. maint. fee	08/480,561	01/23/09	177 5,176,616 01/23/2001 filed 06/06/1995
KMP2-02	"CAP" HOUSE	8th-yr. maint. fee	08/923,213	03/13/09	178 6,199,973 03/13/2001 filed 09/03/1997
KRM -09	CLOG/DUST CONTROL	12th-yr. maint. fee	08/561,788	07/08/09	179 5,645,379 07/08/97 filed 11/22/95

DATES of these deadlines  
-- ALL after September 15

~third page of third (August 25) printout~

CONTACT USPTO  
Deposit Acct. change phone & fax

Wafle m: "old calendar  
prints"

A. STATUTORY deadlines within 30 days  
B. EXTENDABLE deadlines within 30 days  
C. Internal deadlines within 7 days  
D. STATUTORY deadlines over 30 days away  
E. EXTENDABLE deadlines over 30 days away  
F. Internal deadlines over 7 days away

M'wd. either none

09/13/05

14139

KEY (at top of 4th printout)

Section headings, as before

10/17/04  
10/21/04

913 Certificate  
of Correction -  
DATE of 4th printout

Deadline on Sept. 15

\*\* These deadlines are (see definitions above) type A

XNPF-82 revive called back? Edwastin 7/1/22-2338 Alfaro 60970047-1 09/15/05  
XAA -82 payment to USPTO for PCT filing fees in TS n/billed: YR 09/26/05  
ASST-07 LCD Disp CONTIN'N 12th-yr. maint. fee 07/705,346 toll RMAI 09/26/05  
XNCF-50 file regular ap --in U.S., PCT 4/or for'n 10/03/05  
XAA -28 3 mo Warning! prov'l expires 1/13/06 10/13/05  
XAA -30 3 mo Warning! prov'l expires 1/13/06 10/13/05

1. 60/449,866 ASYN. RESOL'N  
2 Kane/Potter LIDAR PHASE PCT/US1005/028777  
3 8,252,955 10/12/93 filed 05/24/01 PATENT EXPIRED 11/20/01  
4 based on 60/615,670 THREADED QUIK-DISCONNECT  
5 60/643,867 Kane QUAD CELL MBR  
6 60/643,869 Kane AGES WAVEFRONT SENSOR

\*\* These deadlines are (see definitions above) type B

\* XAA -13 2-mo reply Final rejection B.1 arete 09/13/05  
XNPF-40 1-mo WARNING Final OA 2-mo reply due 9/28 09/14/05  
XNPF-13 OA 6-mo. STAT. 09/14/05  
\* XAA -13 1-wk Warning w/2mo ex abstract, drawings claim rejections 09/14/05  
XNPF-40 Draft to Durville 2mo reply to final due 9/28 60019892 09/14/05

7 10/013,320 Farruggia CTD cont'  
8 09/874,524 ABR  
9 09/775,771 TRUE 2DC PIPE  
10 10/265,277 CIRCULATING MICRO  
11 09/874,524 Lammens ABR

Deadlines on Sept. 15

XNPF-30 Query HP about divisional applic 60001011-1 09/15/05  
XNPF-75 Gary Small request EPOA response 60/960,030-3 09/15/05  
XAA -29 Arete PD fees for annuities Day Planer 09/16/05  
XAA -54 tw/status IDS filed 3/18 Arete billed PD 09/18/05  
XAA -10 Status? 8/23/0 Pat 6,934,438 09/19/05

12 09/642,417 GIL DO  
13 Dona777  
14 Potter PERISCOPE  
15 Gleckler U. K. plural-slit STILL BILL ARETE  
16 10/265,278 Kane MICROPUMP BILL ARETE

\* XNPF-28 2 wk Warning/OA 9/22 fees dec/pwr draw'gs PL fu/Futuya ammt. 09/19/05  
XNCF-51 Query Neal: want ap? 09/19/05  
XNCF-36 study Stanley case 09/19/05  
XNCF-08 Study Neal's ap. Bird in hand! 09/19/05

17 11/151,594 CATS EYE/MBR  
18 Cluet INTRADAD 60990047 (JP)  
19 ACTIVE CHD.W/O/VOLTG. PROT'N (Ty Williams)  
20 Stanley Home Automation

XNCF-50 1-mo Warning! regular-ap 10/3 FLAG! -- Needs CLAIMS! 09/19/05  
XAA -54 status? US/US cases AUS resp. due 2/19/0 AUS pat. 2001282850 09/19/05  
1PER- PL: NS infl's, KCT/FB/CB 09/19/05

21 GPS/CC: study status  
22 60/615,670 THREADED QUIK-DISCONNECT  
23 Gleckler MULTI SLIT LIDAR  
24 tw/Boh, Mimi, Eric & Lois re WLB

\* XAA -78 miss'g pts filed 6/5 needs prelen before going to examiner 09/20/05  
OD -RPO request RPO's 227 234 282 240 to Bill HP 09/20/05  
1BUS- DO STATEMENTS 09/20/05

25 Q fractional of time for res.maint. & 55 def  
26 11/023,299 SHIPSHIELD cont  
27 228 230 231 246 248 252 257 261 RPO counters  
28 09/20/05

\* XNPF-40 1-wk reply to Final rejection DUE 9/28 60019892-1 09/21/05  
XAA -10 Warning OA duel w/2 mo ext. abs draw claim rejections 09/21/05  
XNPF-70 check status EPOA response 60/990,002 09/21/05

29 09/874,524 Lammens ABR  
30 10/265,277 CIRCULATING MICRO  
31 VARIABLE ADVANCE Sapata  
32 10/265,277 CIRCULATING MICRO

\* XAA -19 get entered into PAIR system w/OA due 9/21 w/2 mo ext 09/21/05  
1BUS- make sure all new fi lings have fw/ calan dered 09/21/05  
XAA -19 DO STATEMENTS 09/21/05

33 Kane CIRCULATING MICROPUMP 10/265,277  
34  
35 Deleted  
36 10/265,277 CIRCULATING MICRO

XAA -43 1-wk Warning OA due 9/29 claim reject'n dec/pwr 10/290,108 09/22/05  
XAA -14 tw/McLean 4 updates DONE 7777 09/22/05  
XNCF-07 AIR4LESS w/design specimens show. use 75/692,042 09/22/05

37 Orser FLUORESCENCE-QUENCHING NITRATE  
38 LIDAR Independent ap or CIP  
39 2,329,541 03/15/2000 filed 04/26/1999  
40 2,329,543 03/15/2000 filed 04/26/1999

XNPF-03 PL to chh pedigree pat 6,874,872 4/5/5 60980038-2 09/22/05  
XAA -53 COMT a38 DIV'L a37 mail copy to client 09/22/05  
XAA -83 draw,assign,dec/pwr OA reply due 8/11 arete DONE 09/22/05

41 09/812,406 IMK PRESSURE  
42 09/390,487 SHIPSHIELD JUMBO - Also 6491  
43 11/151,594 CATS EYE/MBR  
44 10/155,745 MASC

XAA -80 3-wk Warning OA due 10/8 claim rejection drawings 09/23/05  
XAA -43 OA reply filed 5/9 restriction requir't Status? BILL ARETE 09/23/05  
XNPF-42 OA 6-mo. STAT. 09/23/05

45 10/290,108 Orser NITRATE SENSOR  
46 09/919,207 MEDIA-IND CALER  
47 10/155,745 MASC  
48

XAA -30 2-wk Warn/OA duel/s claim reject. draw'g cited references 09/25/05  
1BUS- DO STATEMENTS 09/25/05  
XNPF-29 status tw/resp. filed 5/28 anat filed 12/9 09/25/05

49 09/629,363 PASTHERU email frm track&confirm  
50 Armi-ana COMPOS. CODESTRIP 60940001-2 (EPO)  
51 10/290,108 NITRATE SENSOR  
52

XNPF-64 Request for Corrt'ed Filing Receipt NO Attorney see OA 09/26/05  
XAA -21 have notarized assign for nat/regional 09/26/05  
XNPF-09 135u fee pd 1/21 patent issued 3/1 09/26/05

53  
54 PCT/US03/39535 Kane CATS EYE/MBR (a84 85 86)  
55 10/994,766 PROGRESSIVE MASK  
56 09/846,062 Vaga AEROSOL CONTROL

XNPF-64 missing parts: OA Status? 09/28/05  
XAA -93 2-wk Warning OA due missing parts fees dec/pwr 09/28/05  
LPer-JW how to get JW doc to WTC?? 09/29/05  
LPer-JW BUS Cindy Coe 09/29/05

57 60/020,806-1 PROGRESSIVE MASK  
58 60/601,015 Kane LIDAR PHASE (RJ-8875 ext.)  
59  
60 10/994,766 PROGRESSIVE MASK

Docket codes

Deadline dates

Record numbers  
in 4th printout





UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
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Alexandria, VA 22313-1450  
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DATE: 4/27/07TO: Peter Lippman  
(NAME)775) 677-8823  
(FACSIMILE NUMBER)

(ORGANIZATION)

(TELEPHONE NUMBER)

SENDER: L. Walsh  
(NAME)TOTAL NUMBER OF PAGES 3 (INCLUDING THIS COVER PAGE)

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Paper No. 21

PETER I. LIPPMAN  
4385 OCEAN VIEW BLVD.  
MONTROSE, CA 91020

**COPY MAILED**

JUL 15 2005

**OFFICE OF PETITIONS**

In re Application of  
Bowker et al.  
Patent No. 5,467,122  
Application No. 08/046,335  
Filed: April 12, 1993  
Issued: November 14, 1995  
Attorney Docket No. xAA-05

ON PETITION

This is a decision on the petition under 37 CFR 1.378(c), filed March 15, 2004, to accept the delayed payment of a maintenance fee for the above-identified patent.

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration under 37 CFR 1.378(e) must be filed within TWO (2) MONTHS from the mail date of this decision. No extension of this two-month time limit can be granted under 37 CFR 1.136(a) or (b). This is not final agency action within the meaning of 5 U.S.C. § 704.

A petition to accept the unintentionally delayed payment of a maintenance fee under 35 U.S.C. § 41(c) and 37 CFR 1.378(c) must be accompanied by: (1) a statement that the delay was unintentional; (2) payment of the appropriate maintenance fee, unless previously submitted; (3) payment of the surcharge set forth in 37 CFR 1.20(i)(2).

This petition lacks items (2) and (3) above. The funds were attempted to be collected from petitioner's deposit account, No. 12-1639 numerous times, but there was never sufficient funds. As of July 2005, the account is listed as having a negative balance. Accordingly, to reinstate the above-identified application, petitioner must supply the maintenance fee and the \$1640.00 surcharge.

**Any petition for reconsideration of this decision must be accompanied by the petition fee of \$130 as set forth in 37 CFR 1.17(h).** The petition for reconsideration must include the lacking item(s) noted above, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Commissioner.

Petitioner should note that if this petition is not renewed, or if renewed and not granted, then the maintenance fees and post expiration surcharge are refundable. Petitioner may request a refund of the fees submitted on March 17, 2004. Please send all requests for refunds to the following address:

Patent No. 5,467,122

Page 2

Mail Stop 16  
Director of the US Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

A copy of this decision should accompany petitioner's request.


Further correspondence with respect to this matter should be addressed as follows:

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Post Office Box 1450  
Alexandria, VA 22313-1450

By hand: Customer Window located at:  
  
U.S. Patent and Trademark Office  
Customer Service Window Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

By fax: (571) 273-8300  
ATTN: Office of Petitions

Any questions concerning this matter may be directed to the undersigned at (571) 272-3206.

  
Liana Chase  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

\*\* F

XAA -05	OCEAN-VOL. LIDAR	4th-year maint. fee	08/046,335	11/14/99 n 553 5,467,122 11/14/95 filed 04/12/93
XAA -05	OCEAN-VOL. LIDAR	Maint. 11/14 FLAG!	08/046,335	10/15/99 n 554 5,467,122 11/14/95 filed 04/12/93
XAA -05	OCEAN-VOL. LIDAR	8th-yr. maint. fee	08/046,335	11/14/03 n 555 5,467,122 11/14/95 filed 04/12/93
XAA -05	OCEAN-VOL. LIDAR	Maint. 11/14 FLAG!	08/046,335	10/15/03 n 556 5,467,122 11/14/95 filed 04/12/93
XAA -05	OCEAN-VOL. LIDAR	12th-yr. maint. fee	08/046,335	11/14/07 n 557 5,467,122 11/14/95 filed 04/12/93
XAA -05	OCEAN-VOL. LIDAR	Maint. 11/14 FLAG!	08/046,335	10/15/07 n 558 5,467,122 11/14/95 filed 04/12/93
XAA -05	OCEAN-VOL. LIDAR	3.5-yr. maint. fee	08/046,335	05/14/99 n 559 5,467,122 11/14/95 filed 04/12/93
XAA -05	OCEAN-VOL. LIDAR	Maint. 05/14 FLAG!	08/046,335	04/14/99 n 560 5,467,122 11/14/95 filed 04/12/93
XAA -05	OCEAN-VOL. LIDAR	7.5-yr. maint. fee	08/046,335	05/14/03 n 561 5,467,122 11/14/95 filed 04/12/93
XAA -05	OCEAN-VOL. LIDAR	Maint. 05/14 FLAG!	08/046,335	04/14/03 n 562 5,467,122 11/14/95 filed 04/12/93
XAA -05	OCEAN-VOL. LIDAR	11.5-yr. maint. fee	08/046,335	05/14/07 n 563 5,467,122 11/14/95 filed 04/12/93
XAA -05	OCEAN-VOL. LIDAR	Maint. 05/14 FLAG!	08/046,335	04/14/07 n 564 5,467,122 11/14/95 filed 04/12/93

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentees: J. Kent Bowker and  
Stephen C. Lubard

Patent No.: 5,467,122

Filed: April 12, 1993

For: "UNDERWATER IMAGING IN REAL  
TIME USING SUBSTANTIALLY DI-  
RECT DEPTH-TO-DISPLAY-HEIGHT  
LIDAR STREAK MAPPING"

Our docket: xAA-05

Office of  
Petitions

DECLARATION OF HOLLY B. AGUILERA

Hon. Commissioner for Patents  
P. O. Box 1450  
Alexandria VA 22313-1450

Sir:

I, HOLLY B. AGUILERA, declare as follows.

1. I was employed by Patent Attorney Peter Lippman as an office clerk in his Montrose, California private-lawfirm patent-law office for a few months in 1993 (at that time as

assistant clerk), and later again for nearly eight years — from the fall of 1996 through June 16, 2004 when he left southern California to live in Reno, Nevada.

2. During most of my second employment with Mr. Lippman, I was his only employee; however, for about the last year and a half we had another employee who was assistant clerk, Miss Nichole Cecere.

3. During my employments, at first Mr. Lippman was associated with another patent lawyer, Mr. Robert Ashen. Later that relationship ended — and Mr. Lippman became a sole practitioner. From my viewpoint, however, there was very little difference between the two situations: the employment was with Mr. Lippman, and was continuous.

4. When I first started work for Mr. Lippman, I knew essentially nothing about patents. He trained me in all aspects of his private patent-lawfirm operations, and well before late 2003 (when the subject maintenance fee came due) I was able to perform essentially all the clerical functions of his office with minimal supervision. I found patent work interesting, and I enjoyed it — as I do now.

5. When Mr. Lippman left California, by virtue of the training he had provided I was easily able to find other employment in the field of patents. My first such position was with the patent department of Amgen Incorporated; I was successful there, but the commuting time was extreme, so after about one year I decided to take work closer to my home. My next position was with Precision Dynamics Corpo-

ration in San Fernando, California — and I held that job for two years, until early last month (May 2007) when I took an opportunity to join the patent department of the well-known Disney company.

6. My patent-prosecution skills in these positions have been found acceptable, and in the first two employments were rewarded with routine wage increases.

7. Of my own knowledge, it is particularly true that Mr. Lippman is careful, thorough and very patient in training employees. That is true not only for me but also for his participation in training a previously mentioned assistant clerk, who worked for Mr. Lippman part-time for a year and a half, partly under my supervision, during my employment with him.

8. I have read a May 22 draft of Mr. Lippman's "Petition to Accept Unavoidably Delayed Payment of Maintenance Fee in an Expired Patent", including the Exhibits. Based on the dates involved, many of the passages in that draft Petition are outside my direct experience; I cannot comment on them.

9. I agree with all of the portions dealing with me and my participation in the efforts to pay the 2003 maintenance fee for U. S. 5,467,122 — particularly the discussions in the "Additional Sheets" section 9, and the first parts of sections 10 and 11.

10. As the Petition states, it was I who drafted the November 2003 letter (Exhibit M of the present Petition) that

had a faulty mailing certification, and who also drafted the March 2004 letter (Exhibit N of the present Petition) that explained how the date came to be deleted from the mailing certification. Of my own knowledge, that explanation was completely true; and the discussion of it in the present Petition (section 9) is likewise true.

11. I remember feeling embarrassed for having deleted the date from the end of the mailing-certification paragraph, in the November 2003 coverletter. Nevertheless I do agree that overlooking the deletion was one of those "human errors" which does very occasionally occur, even despite great care to avoid them.

12. The reason for that, in my opinion, trying to look at the work very objectively, is that in every document going to the PTO there are many details of great importance, any single one of which can cause a document to misfire severely. Considering myself a professional in this field, I always do my best to check — and double check — each and every detail, and sooner or later a mistaken computer keystroke or two has a disproportionate effect and produces a disastrous result, which somehow is just not noticed. Computers are wonderful machines: they tremendously amplify our capabilities, but unfortunately also our errors.

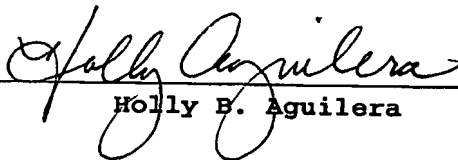
13. When I made that error, having done such work for more than seven years I knew perfectly well that a mailing certification had to have a date in it. The reason I made that deletion was not that I wanted to remove the date, but



rather that I wanted to correct the address, and removed the date accidentally in the process.

All statements herein made of my own knowledge are true; all statements made on information and belief I believe to be true. I understand that willful false statements and the like herein are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the subject patent.

June 5, 2007  
date

  
Holly B. Aguilera

CUSTOMER NUMBER 38637		RUN DATE: 06/09/04		CUSTOMER NUMBER ASSIGNMENTS TO PATENTS AND PENDING APPLICATIONS		PAGE 4	
PETER I. LIPPMAN 4385 OCEAN VIEW BOULEVARD MONTROSE, CA 91020 UNITED STATES							
APPLICATION NUMBER	PATENT NUMBER	FILING DATE	PATENT DATE	CORRESPONDENCE ADDRESS	PRACTITIONER OF RECORD	FEE ADDRESS	
08294241 ACCEPTED	5528493 PETER I LIPPMAN	01/01/01	01/01/01	YES PRIOR CORRESPONDENCE ADDRESS		NO	
08046335 ACCEPTED	5467122 FULBRIGHT AND JAWORSKI L L P	01/01/01	01/01/01	YES PRIOR CORRESPONDENCE ADDRESS		NO	
08556716 ACCEPTED	6400396 PETER I LIPPMAN	01/01/01	01/01/01	YES PRIOR CORRESPONDENCE ADDRESS		NO	
10010936 ACCEPTED	6577134 PETER I. LIPPMAN	01/01/01	01/01/01	YES PRIOR CORRESPONDENCE ADDRESS		NO	
10013320 ACCEPTED	PETER I. LIPPMAN	01/01/01	01/01/01	YES PRIOR CORRESPONDENCE ADDRESS		NO	
10265278 ACCEPTED	ASHEN & LIPPMAN	01/01/01	01/01/01	YES PRIOR CORRESPONDENCE ADDRESS		NO	
60327760 ACCEPTED	PETER LIPPMAN	01/01/01	01/01/01	YES PRIOR CORRESPONDENCE ADDRESS		NO	
60327759 ACCEPTED	PETER LIPPMAN	01/01/01	01/01/01	YES PRIOR CORRESPONDENCE ADDRESS		NO	
10426907 ACCEPTED	Peter I. Lippman	01/01/01	01/01/01	YES PRIOR CORRESPONDENCE ADDRESS		NO	
60377323 ACCEPTED	PETER LIPPMAN	01/01/01	01/01/01	YES PRIOR CORRESPONDENCE ADDRESS		NO	
60388932 ACCEPTED	PETER LIPPMAN	01/01/01	01/01/01	YES PRIOR CORRESPONDENCE ADDRESS		NO	
60433301 ACCEPTED	PETER LIPPMAN	01/01/01	01/01/01	YES PRIOR CORRESPONDENCE ADDRESS		NO	
09100526 ACCEPTED	6692696 PETER I. LIPPMAN	01/01/01	01/01/01	YES PRIOR CORRESPONDENCE ADDRESS		NO	

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# Request for Customer Number Data Change

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P.O. Box 1450  
Alexandria, VA 22313-1450

To the Commissioner for Patents:

38637

Please record the following data changes to Customer Number:

☒ Please change Address to:

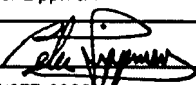
<b>Firm or Individual Name</b>	Peter I. Lippman			
<b>Address</b>	17900 Mockingbird Drive			
<b>Address</b>				
<b>City</b>	Reno	<b>State</b>	NV	<b>Zip</b> 89506
<b>Country</b>	USA			
<b>Telephone</b>	775/677-8822	<b>Fax</b>	775/677-8823	

☐ Please delete the following practitioner registration number(s) from the Customer Number indicated above:


☐ Please add the following practitioner registration number(s) from the Customer Number above:


☐ Additional practitioner registration numbers are listed on supplemental sheet(s) attached hereto (PTO/SB/124B or equivalent)

Request Submitted by: (must be a person, e.g. registered practitioner, associated with the customer number shown above)

<b>Firm Name (if applicable)</b>	Law Office of Peter Lippman		
<b>Name of Person Submitting request</b>	Peter Lippman		
<b>Signature</b>		<b>Registration No.</b>	22835
<b>Telephone Number</b>	775/677-8822	<b>Date</b>	July 10, 2004

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop EBC, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## Exhibit F



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	PATENT NUMBER	GROUP ART UNIT	FILE WRAPPER LOCATION
08/046,335	5467122	2615	47LC

**Change of Address/Power of Attorney**

The following fields have been set to Customer Number 38637 on

- Correspondence Address

The address of record for Customer Number 38637 is:

PETER I. LIPPMAN  
17900 MOCKINGBIRD LANE  
RENO, NV 89506

The Practitioners of record for Customer Number 38637 are:

**Petitions Office please note:  
This document came from PAIR,  
where it is shown with a date of  
December 14, 2004.**

**PTO INSTRUCTIONS:**

Please take the following action when the correspondence address has been changed to a customer number:

- 1) Add 'ADDRESS CHANGE TO CUSTOMER NUMBER' on the next available content line of the File Jacket.
- 2) Put a line through the old address on the File Jacket and enter the Customer Number as the new address.
- 3) File this Notice in the File Jacket.

Please take the following action when the correspondence address has NOT been changed:

- 1) File this Notice in the File Jacket

application serial and title for subject patent

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08/046,335 UNDERWATER IMAGING IN REAL TIME USING SUBSTANTIALLY DIRECT DEPTH-TO-DISPLAY-HEIGHT LIDAR STREAK MAPPING

Selected New Cases Applications By Customer Application Data Transaction History Image File Wrapper Continuity Data Fees Published Documents Address & Attorney/Agent Assignments

This application is officially maintained in paper form. The document images below do NOT comprise the complete contents of the application file wrapper. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click Start Download.

Available Documents

Mail Room Date	Document Description	Document Category	Page Count	Start Download	View
12-14-2004	Change of Address	PROSECUTION	1	<input type="checkbox"/>	<input type="checkbox"/>

If you need help:

- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail [EBC@uspto.gov](mailto:EBC@uspto.gov) for specific questions about Patent Application Information Retrieval (PAIR).
- Send general questions about USPTO programs to the [USPTO Contact Center \(UCC\)](mailto:USPTO.Contact.Center@uspto.gov).
- If you experience technical difficulties or problems with this application, please report them via e-mail to [Electronic Business Support](mailto:Electronic.Business.Support@uspto.gov) or call 1 800-786-9199.

You can suggest USPTO webpages or material you would like featured on this section by e-mail to the [webmaster@uspto.gov](mailto:webmaster@uspto.gov). While we cannot promise to accommodate all requests, your suggestions will be considered and may lead to other improvements on the website.

"Mail Room Date" for "Change of Address"

PATENT,  
TRADEMARK, COPYRIGHT,  
& TRADE-SECRET LAW

LAW OFFICE OF  
PETER I. LIPPMAN  
17900 MOCKINGBIRD DRIVE  
RENO, NEVADA 89506

TELEPHONE 775/677-8822  
FACSIMILE 775/677-8823  
EMAIL PL@A-L.COM

May 21, 2007

Mail Stop EBC  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

By FAX only  
571/273-0177

**Please acknowledge!**

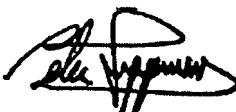
RE: Request for Customer Number Data Change

Hon. Commissioner,

Please find on the following page a Request for Customer  
Number Data Change.

Please notice that the corrected address is Mockingbird  
DRIVE, NOT "Lane".

Respectfully submitted,



PETER I. LIPPMAN  
Registration No. 22,835

17900 Mockingbird Drive  
Reno, Nevada 89506

May 21, 2007

TELEPHONE:  
775/677-8822

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# Request for Customer Number Data Change

**Address to:**  
Mail Stop EBC  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

To the Commissioner for Patents:

38637

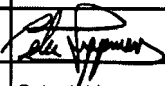
Please record the following data changes to **Customer Number**:
☒ Please change Address to:

<b>Firm or Individual Name</b>	Peter I. Lippman			
<b>Address</b>	17900 Mockingbird Drive			
<b>City</b>	Reno	<b>State</b>	NV	<b>Zip</b> 89506
<b>Country</b>	USA			
<b>Telephone</b>	775/677-8822	<b>Email</b>	PL@A-L.com	

☐ Please delete the following practitioner registration number(s) from the Customer Number indicated above:


☐ Please add the following practitioner registration number(s) from the Customer Number above:


☐ Additional practitioner registration numbers are listed on supplemental sheet(s) attached hereto (PTO/SB/124B or equivalent)
**Request Submitted by:** (must be a person, e.g. registered practitioner, associated with the customer number shown above)

<b>Firm Name (if applicable)</b>	Law Office of Peter Lippman		
<b>Signature</b>			
<b>Name of Person Submitting request</b>	Peter I. Lippman	<b>Registration No.</b>	22835
<b>Telephone Number</b>	775/677-8822	<b>Date</b>	May 21, 2007

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop EBC, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option.

PATENT,  
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& TRADE-SECRET LAW

LAW OFFICE OF  
PETER I. LIPPMAN  
17900 MOCKINGBIRD DRIVE  
RENO, NEVADA 89506

TELEPHONE 775/677-8822  
FACSIMILE 775/677-8823  
EMAIL PL@A-L.COM

May 21, 2007

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By FAX only  
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**Please acknowledge!**

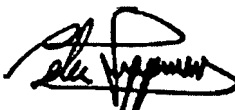
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Respectfully submitted,



PETER I. LIPPMAN  
Registration No. 22,835

17900 Mockingbird Drive  
Reno, Nevada 89506

May 21, 2007

TELEPHONE:  
775/677-8822



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# Request for Customer Number Data Change

**Address to:**  
Mail Stop EBC  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

To the Commissioner for Patents:

38637

Please record the following data changes to Customer Number:

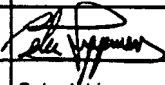
☒ Please change Address to:

<b>Firm or Individual Name</b>	Peter I. Lippman			
<b>Address</b>	17900 Mockingbird Drive			
<b>City</b>	Reno	<b>State</b>	NV	<b>Zip</b> 89506
<b>Country</b>	USA			
<b>Telephone</b>	775/677-8822	<b>Email</b>	PL@A-L.com	

☐ Please delete the following practitioner registration number(s) from the Customer Number indicated above:


☐ Please add the following practitioner registration number(s) from the Customer Number above:


☐ Additional practitioner registration numbers are listed on supplemental sheet(s) attached hereto (PTO/SB/124B or equivalent)
**Request Submitted by:** (must be a person, e.g. registered practitioner, associated with the customer number shown above)

<b>Firm Name (if applicable)</b>	Law Office of Peter Lippman		
<b>Signature</b>			
<b>Name of Person Submitting request</b>	Peter I. Lippman	<b>Registration No.</b>	22835
<b>Telephone Number</b>	775/677-8822	<b>Date</b>	May 21, 2007

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop EBC, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Page 1 of 1 <sup>a13</sup>  
*file away*



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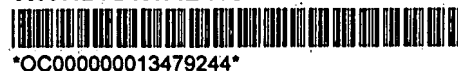
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Address: COMMISSIONER FOR PATENTS  
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APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TIME
10/013,320		Guy J. Farruggia	xAA-13

CONFIRMATION NO. 4255

38637  
PETER I. LIPPMAN  
17900 MOCKINGBIRD LANE  
RENO, NV 89506

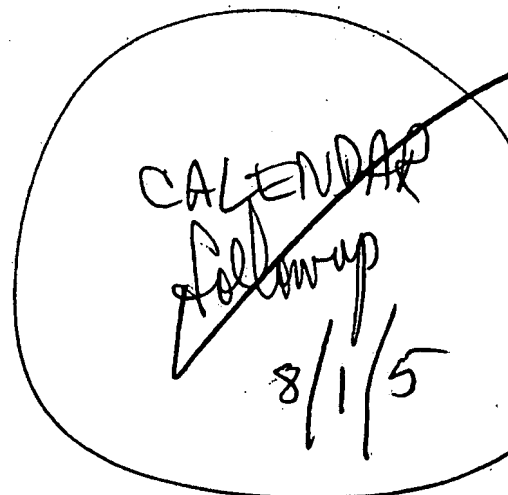
WITHDRAWAL NOTICE



Date Mailed: 08/09/2004

WITHDRAWAL OF PREVIOUSLY SENT NOTICE

The Notice of Abandonment mailed on 01/28/2004 was sent in error and is hereby withdrawn. A Filing Receipt is enclosed. The Office regrets any inconvenience the error may have caused.



A copy of this notice MUST be returned with the reply.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

**Exhibit I -- page 1 of 2**



# UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/306,899	11/26/2002	Gary R. Harmon	xAA-76	8447
38637	7590	09/29/2004	EXAMINER	
PETER I. LIPPMAN 17900 MOCKINGBIRD LANE RENO, NV 89506			ANGEBRANDT, MARTIN J	
			ART UNIT	PAPER NUMBER
			1756	

DATE MAILED: 09/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

OCT 05 2004  
P.I. LIPPMAN

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentees: J. Kent Bowker and  
Stephen C. Lubard

Patent No.: 5,467,122

Filed: April 12, 1993

For: "UNDERWATER IMAGING IN REAL  
TIME USING SUBSTANTIALLY DI-  
RECT DEPTH-TO-DISPLAY-HEIGHT  
LIDAR STREAK MAPPING"

Our docket: xAA-05

Office of  
Petitions

DECLARATION OF JOHN W. McLEAN, Ph. D.

Hon. Commissioner for Patents  
P. O. Box 1450  
Alexandria VA 22313-1450

Sir:

I, JOHN W. McLEAN, declare as follows.

1. I am the president and chief executive officer of Areté Associates, a company which is the assignee of the entire interest of the patent identified above.

2. I hold a doctorate from the California Institute of Technology and have over 25 years of experience in developing new concepts, performing research, and managing the integration and delivery of optical/mathematical systems for the Department of Defense.

3. Also I am a coPetitioner in this matter. My participation in the Petition is primarily due to the very great importance of this matter to Areté Associates.

4. The e-mail correspondence in Exhibit K of the accompanying Petition) appears to me, of my own knowledge, to be a true and correct copy of my actual 2003 correspondence with Mr. Lippman's office clerk, Mrs. Aguilera.

5. As I stated in that 2003 correspondence — which I went out of my way to copy to our chief financial officer, Jim King — and as I have reiterated in paragraph 2 above, this patent is a very important one to our company, Areté Associates.

6. Of course I understand that the patent cannot be reinstated merely because it is important to our company. Therefore I have reviewed the entire Petition and all its Exhibits with very great care.

7. Based upon that review, I have satisfied myself that all the delay in paying the eighth-year maintenance fee was in fact unavoidable, within the confidence level for "prudent and careful men in relation to their most important business". I notice in the quotation from the *Matulla* decision — in Section 10 of the "Additional Sheets" of the Petition — that this is the standard of review to be applied here. I am very well equipped to evaluate the facts of this case under that standard, because I am a prudent and careful man, and this matter is part of my most important business.

8. I have been acquainted with Patent Attorney Peter Lippman for more than eight years, going back to the period before my present position with Areté. In 1999 he prepared a patent application in which I was a coinventor, and which eventuated into U. S. 6,836,285.

9. In that project and since then, we have not always agreed on every detail of our professional relations. Nevertheless I have been impressed by his intelligent devotion to optimizing Areté's patent coverage — and also with his forthrightness and promptness in keeping me informed of developments, including those which might seem to cast him in a bad light. For example, he informed me of the present maintenance-fee situation immediately upon having learned about it in March.

10. I was and, still am, very upset to learn that the maintenance fee for the subject patent 5,467,122 has not been successfully paid. Before obtaining a copy of the 2005 Dismissal document, Mr. Lippman at first suggested to me that possibly he might, somehow, have contributed to that lack of success in making the payment.

11. I was gratified to see that his internal docket records (Exhibit A of the Petition) substantiate his belief that he never received the Dismissal.

12. I was still more gratified to learn that the PTO addressed the Dismissal (Exhibit B), on its face, to his former address —

- more than a year after the PTO received a proper address-change notice (Exhibit F) from Mr. Lippman, and
- eleven months after the PTO began sending mail directly to Mr. Lippman's new address (Exhibit I),
- even six months after the PTO officially confirmed his new address (Exhibit G), and
- about a month after expiration of the postal forwarding order that Mr. Lippman submitted to the United States Postal Service (section 7 of the "Additional Sheets" in the Petition).

13. In the aggregate, these facts would seem to make it all but certain that he never received the Dismissal.

14. I have also studied with great interest section 11 of the "Additional Sheets" — taking up Mr. Janoski's suggestion that Mr. Lippman should have followed-up the 2004 Petition. It happens that Areté does a very large fraction of its business with the United States Government, and I am comfortable to say: (1) the PTO's protracted processing of the 2004 Petition is wholly understandable, and (2) I concur that persistent follow-up would have aggravated the overall situation. These have been difficult times.

15. Although of course I know very, very little about the internal processes of the PTO, as a matter of objective fact I do know a lot about the procedures followed by "prudent and careful men in relation to their most important business". Based upon that standard, the facts noted in my paragraphs 11 through 14, just above, lead me to believe


that Mr. Lippman made no significant contribution to that part of the delay which followed mailing of the 2005 Dismissal document.

16. As to the delay occasioned before that mailing, I have thoughtfully considered the actions and efforts of both Mr. Lippman and his clerk, Mrs. Aguilera — as represented in the "Additional Sheets", sections 6, 7, 9, 10 and 11 (and also in Exhibit D, and Exhibits K through O).

17. Based upon those pieces of information I believe that the causes of that earlier delay, too, satisfy that same standard — especially in that those causes conform to the human-error criterion articulated in Matulla. I see that the efforts of Mr. Lippman and Mrs. Aguilera — even though in certain regards obviously imperfect — are within the expectations of a careful and prudent businessperson such as I am.

All statements herein made of my own knowledge are true; all statements made on information and belief I believe to be true. I understand that willful false statements and the like herein are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the subject patent.

June 4, 2007  
date



John W. McLean, Ph. D.  
President and CEO  
Areté Associates

Declaration of John W. McLean, Ph. D.

5

Petition re U. S. 5,467,122





SUBJECT: RE: Arete's application on Ocean-Volume Lidar (our docket xAA-05)  
DATE: Thu, 30 Oct 2003 10:19:18 -0800  
FROM: HBA@sbcglobal.net

Okay, we will take care of it before the deadline.

Thank you,  
Holly

-----  
From: "McLean, John" <jmclean@arete-az.com>  
Subject: RE: Arete's application on Ocean-Volume Lidar (our docket xAA-05)  
Date: Wed, 29 Oct 2003 08:11:30 -0700  
To: Holly B Aguilera <HBA@sbcglobal.net>  
Cc: "King, Jim" <king@arete.com>

> Hello Holly,  
>  
> please proceed and pay the maintenance fee. This is a very important patent for Arete.  
>  
> Cheers,  
>  
> J.

> -----Original Message-----  
> From: Holly B Aguilera [mailto:HBA@sbcglobal.net]  
> Sent: Monday, October 27, 2003 3:00 PM  
> To: McLean, John; PL@A-L.com  
> Subject: Arete's application on Ocean-Volume Lidar (our docket xAA-05)

> Dear Dr. McLean:

> There is a deadline coming up in a few weeks for payment  
> of the 8th year maintenance fee for Arete's patent  
> 5,467,122 on the Ocean-Volume Lidar. The fee amount  
> is \$1,090 and is due November 14. No extensions are  
> available, and if payment is not made the patent will  
> lapse.

> Once payment is made, one additional maintenance fee  
> will be due on this patent in another 4 years and will  
> be considerably larger.

> Please let us have your authorization to proceed with  
> payment of this maintenance fee.

> Cordially,  
> Holly Aguilera

> -----End of Original Message-----

Holly B. Aguilera

Date: 10/30/03

Time: 10:19:18

Ashen Lippman  
4385 Ocean View Blvd.  
Montrose, CA 91020

818/249-5961 voice  
818/249-8384 facs.

e-mail: HBA@sbcglobal.net

**Exhibit K**

PATENT, TRADEMARK, COPYRIGHT,  
UNFAIR COMPETITION, TRADE-SECRET,  
COMPUTER & HIGH-TECHNOLOGY LAW

LAW OFFICES OF  
**ASHEN & LIPPMAN**  
4385 OCEAN VIEW BOULEVARD  
MONTROSE, CALIFORNIA 91020

TELEPHONE 818/249-5961  
FACSIMILE 818/249-8384  
EMAIL P@A-L.COM

May 13, 1999

Commissioner of Patents  
and Trademarks  
Washington DC 20231

RE: U. S. utility-patent 5,467,122  
issued November 14, 1995  
from serial 46,335 -- filed April 12, 1993  
of Kent Bowker et al.  
for: "UNDERWATER IMAGING IN REAL TIME, USING  
SUBSTANTIALLY DIRECT DEPTH-TO-DISPLAY-HEIGHT  
LIDAR STREAK MAPPING"  
our docket xAA-05

Dear Sir:

Enclosed for filing in this case please find:

- our check for \$470, to be applied as indicated below
- acknowledgement card for date-stamping and return.

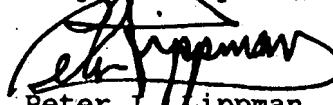
\$ 470 to be applied to the 3.5 year maintenance fee

Please note: no maintenance fee reminder was received for  
this patent.

In event any deficiency in fees should become due, or any refund  
accrues, you are hereby authorized to proceed, without specific  
authorization, to charge such fee deficiency or credit such refund  
to our deposit account 12-1639.

I HEREBY CERTIFY that this correspondence is being  
deposited as first-class mail in an envelope addressed  
to the Commissioner of Patents and Trademarks, Washing-  
ton DC 20231, on or before MAY 13, 1999.

Respectfully submitted,

  
Peter I. Lippman  
Reg. No. 22,835

**Exhibit L**

PATENT, TRADEMARK, COPYRIGHT,  
UNFAIR COMPETITION, TRADE-SECRET  
COMPUTER & HIGH-TECHNOLOGY LAW

LAW OFFICE OF  
PETER I. LIPPMAN  
4385 OCEAN VIEW BOULEVARD  
MONTROSE, CALIFORNIA 91020

TELEPHONE 818/249-5961  
FACSIMILE 818/249-8384  
EMAIL P@A-L.COM

November 6, 2003

United States Patent  
and Trademarks Office  
PO Box 371611  
Pittsburgh, PA 15250-1611

RE: U. S. utility-patent 5,467,122  
issued November 14, 1995  
from serial 463,35 -- filed April 12, 1993  
of J. Kent Bowker et al.  
for: "UNDERWATER IMAGING IN REAL TIME USING  
SUBSTANTIALLY DIRECT DEPTH-TO-DISPLAY-HEIGHT  
LIDAR STREAK MAPPING"  
our docket xAA-05

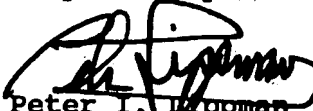
Dear Sir:

Please debit the amount of \$1,090 for the 8 year maintenance fee from our deposit account 12-1639. Enclosed is an acknowledgement card for date-stamping and return. Please note that no maintenance fee notice was received for this case.

In the event that any deficiency in fees becomes due, or any refund accrues, you are hereby authorized to proceed, without prosecution of this application, you are hereby authorized specific authorization, to charge such fee or credit such refund to our deposit account 12-1639. A duplicate copy of this letter is enclosed.

I HEREBY CERTIFY that this correspondence is being deposited as first-class mail in an envelope addressed to the United States Patent and Trademark Office, P.O. Box 371611, Pittsburgh, PA 15250-1611.

Respectfully submitted,

  
Peter I. Lippman  
Reg. No. 22,835

<b>PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(c))</b>	Docket Number (Optional) xAA-05
---	------------------------------------

Mail to: Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Fax: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

Patent No. 5,467,122 Application Number 08/046,335

Issue Date November 14, 1995 Filing Date April 12, 1993

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

The above - identified patent:

- ☐ is a reissue of original Patent No. \_\_\_\_\_, original issue date \_\_\_\_\_;  
original application number \_\_\_\_\_,  
original filing date \_\_\_\_\_.
- ☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international  
application \_\_\_\_\_ filed on \_\_\_\_\_.

**CERTIFICATE OF MAILING (37 CFR 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 2, 2004  
Date

  
Signature

PETER I. LIPPMAN

Typed or printed name of person signing Certificate

[Page 1 of 3]

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 1. SMALL ENTITY

☒ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

## 2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).

## 3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/> \$ _____	3 1/2 yr fee	(1551)	<input type="checkbox"/> \$ _____	3 1/2 yr fee	(2551)
<input type="checkbox"/> \$ _____	7 1/2 yr fee	(1552)	<input checked="" type="checkbox"/> \$ <u>1,025</u>	7 1/2 yr fee	(2552)
<input type="checkbox"/> \$ _____	11 1/2 yr fee	(1553)	<input type="checkbox"/> \$ _____	11 1/2 yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 1,025

## 4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) of \$ 65 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of the maintenance fee.

SURCHARGE BEING SUBMITTED \$ 65

## 5. MANNER OF PAYMENT

- ☐ Enclosed is a check for the sum of \$ \_\_\_\_\_.
- ☒ Please charge Deposit Account No. 12-1839 the sum of \$ 1,090. A duplicate copy of this authorization is attached.
- ☐ Payment by credit card. Form PTO-2038 is attached.

## 6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

- ☒ The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. 12-1839. A duplicate copy of this authorization is attached.

**7. OVERPAYMENT**

As to any overpayment made please

- ☒ Credit to Deposit Account No. 12-1639
- OR
- ☐ Send refund check.

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**8. STATEMENT**


The delay in payment of the maintenance fee to this patent was unintentional.

**9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.**

March 2, 2004  
Date

818/248-5961  
Telephone Number

22,835  
Registration Number, if applicable

  
Signature(s) of Petitioner(s)

Peter I. Lippman  
Typed or printed name(s)

4385 Ocean View Blvd.  
Address

Montrose, California 91020  
Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

**ENCLOSURES:**

- ☒ Maintenance Fee payment
- ☒ Surcharge under 37 CFR 1.20(l)(2) (fee for filing the maintenance fee petition)
- ☐ \_\_\_\_\_

PATENT, TRADEMARK, COPYRIGHT,  
UNFAIR COMPETITION, TRADE-SECRET  
COMPUTER & HIGH-TECHNOLOGY LAW

LAW OFFICE OF  
PETER I. LIPPMAN  
4385 OCEAN VIEW BOULEVARD  
MONTROSE, CALIFORNIA 91020

TELEPHONE 818/249-5961  
FACSIMILE 818/249-8384  
EMAIL P@A-L.COM

March 2, 2004

Mail Stop Petition  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

re: U. S. utility-patent 5,467,122, issued November 14, 1995  
from serial 08/046,335, filed April 12, 1993  
of J. Kent Bowker *et al.*  
for: "UNDERWATER IMAGING IN REAL TIME USING SUBSTANTIALLY  
DIRECT DEPTH-TO-DISPLAY-HEIGHT LIDAR STREAK MAPPING"  
our xAA-05

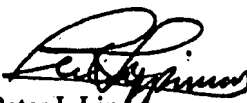
Dear Sir:

Enclosed for filing please find a Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent, along with a copy of our previously filed cover letter used in attempting to timely file the 7 ½ year maintenance fee plus six-month surcharge.

As you can see from the copy of our previously submitted cover letter, we in good faith believed we were timely submitting the necessary maintenance fee and surcharge, however in adjusting the mailing certification in the last paragraph to show the new PTO mailing address, we inadvertently deleted the mailing date so it was not accepted as a Rule 8 certificate of mailing.

Please debit the necessary fee for this petition from our deposit account 12-1639.

Respectfully submitted,

  
Peter I. Lippman  
Reg. No. 22,835

Encl: petition of 3 pages  
copy of previously submitted coverletter

**Exhibit O**



UNITED STATES PATENT AND TRADEMARK OFFICE

102-47  
DAC  
Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

Paper No. 21

PETER I. LIPPMAN  
4385 OCEAN VIEW BLVD.  
MONTROSE, CA 91020

**COPY MAILED**

JUL 15 2005

**OFFICE OF PETITIONS**

In re Application of  
Bowker et al.  
Patent No. 5,467,122  
Application No. 08/046,335  
Filed: April 12, 1993  
Issued: November 14, 1995  
Attorney Docket No. xAA-05

ON PETITION

RECEIVED  
OPENAP  
AUG 25 2005

This is a decision on the petition under 37 CFR 1.378(c), filed March 15, 2004, to accept the delayed payment of a maintenance fee for the above-identified patent.

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration under 37 CFR 1.378(e) must be filed within TWO (2) MONTHS from the mail date of this decision. No extension of this two-month time limit can be granted under 37 CFR 1.136(a) or (b). This is not final agency action within the meaning of 5 U.S.C. § 704.

A petition to accept the unintentionally delayed payment of a maintenance fee under 35 U.S.C. § 41(c) and 37 CFR 1.378(c) must be accompanied by: (1) a statement that the delay was unintentional; (2) payment of the appropriate maintenance fee, unless previously submitted; (3) payment of the surcharge set forth in 37 CFR 1.20(i)(2).

This petition lacks items (2) and (3) above. The funds were attempted to be collected from petitioner's deposit account, No. 12-1639 numerous times, but there was never sufficient funds. As of July 2005, the account is listed as having a negative balance. Accordingly, to reinstate the above-identified application, petitioner must supply the maintenance fee and the \$1640.00 surcharge.

**Any petition for reconsideration of this decision must be accompanied by the petition fee of \$130 as set forth in 37 CFR 1.17(h).** The petition for reconsideration must include the lacking item(s) noted above, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Commissioner.

Petitioner should note that if this petition is not renewed, or if renewed and not granted, then the maintenance fees and post expiration surcharge are refundable. Petitioner may request a refund of the fees submitted on March 17, 2004. Please send all requests for refunds to the following address:





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#### Available Documents

Mail Room Date	Document Description	Document
05-25-2007	Miscellaneous Incoming Letter	PRO
08-25-2005	Miscellaneous Incoming Letter	PRO
07-15-2005	Petition Decision	PRO
12-14-2004	Change of Address	PRO
03-15-2004	Petition Entered	PRO
08-14-1995	Issue Fee Payment (PTO-85B)	PRO
08-14-1995	Miscellaneous Incoming Letter	PRO
08-14-1995	Drawings	PRO
06-27-1995	Notice of Allowance and Fees Due (PTOL-85)	PRO